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763

# **ACTS**

**OF THE**

## **GENERAL ASSEMBLY**

**OF**

### **PRINCE EDWARD ISLAND.**

ANNO TRICESIMO PRIMO VICTORIÆ REGINÆ.



**CHARLOTTETOWN:**

**WARD RELLY, PRINTER TO THE QUEEN'S MOST EXCELLENT  
MAJESTY.**

**1868.**

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PEJ  
122  
868

Rec. Jan. 11, 1900.

# TITLES OF THE ACTS.

## SECOND SESSION

OF THE

TWENTY-THIRD GENERAL ASSEMBLY.

1868.

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ANNO TRICESIMO PRIMO

# VICTORIÆ REGINÆ.

At the General Assembly of Her Majesty's Island of Prince Edward, begun and holden at Charlottetown, the eighteenth day of April, *Anno Domini* 1867, in the thirtieth year of the reign of our Sovereign Lady Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith :

GEO. DUNDAS  
Lt. Governor

And from thence continued, by several Prorogations, to the fourth day of March, 1868, and in the thirty-first year of her said Majesty's Reign, being the second session of the twenty-third General Assembly convened in the said Island.

D. MONTGOMERY, President of Legislative Council.

J. WIGHTMAN  
Speaker.

## CAP. I.

### An Act for Raising a Revenue.

[Passed 24th April, 1868.]

**W**HEREAS it is deemed expedient to further continue and amend the hereinafter recited Act, be it therefore enacted by the Lieutenant Governor, Council and Assembly as follows :

I. The Act made and passed in the Nineteenth year of the reign of Her present Majesty, intituled "An Act for raising a Revenue, and to consolidate and amend the several Acts therein mentioned," save and except such clauses and parts thereof as are hereby repealed, shall be and the same is hereby continued with certain amendments hereinafter mentioned, from the passing hereof and until the first day of May, which will be in the year of our Lord One thousand eight hundred and sixty-nine.

19 Vic., cap. 1, continued until 1st May, 1869, with amendments.



Duties imposed according to table.

II. From and after the passing of this Act and until the said first day of May, One thousand eight hundred and sixty-nine, there shall be raised, levied and paid on the several articles, hereinafter mentioned, imported or brought into this Island, from any place or country whatsoever, the several impost duties, rates or impositions, inserted, described and set forth in figures in the Table of duties hereinafter contained, denominated "Table of Impost Duties," opposite to and against the said respective articles as therein mentioned, described and enumerated, and according to the value, number and quantity thereof, as therein specified, the first column of duties in the said table denoting the *ad valorem* duty or amount payable on every One hundred pounds worth of the article imported, which shall be in like proportion for any less amount than one hundred pounds worth, and the second column denoting the specific duty on each article, and the said duties shall be calculated on the actual value or amount of the invoice, when reduced into the lawful current money of this Island, which said several duties, rates and impositions shall be in lieu of all duties, rates and impositions imposed by the hereinbefore recited Act; and the amount of any invoice of dutiable goods imported from the United States of America into this Island, made out in Dollars and Cents, shall, for all the purposes of this Act, be reduced into the current money of this Island, by allowing for each dollar the sum of six shillings of the said current money, or such other sum as the Lieutenant Governor of this Island in Council shall, from time to time, fix and determine, the rate so fixed by the Government to be published in the *Royal Gazette* weekly, and in like proportion for any smaller part or fraction of a dollar.

Duties to be calculated on invoice reduced into currency.

Rate of dollar how fixed.

TABLE OF IMPOST DUTIES REFERRED TO IN THE  
PRECEDING CLAUSE OF THIS ACT.

ARTICLES.	1st Column.	2d Column.
	Per cent'ge ad valorem duty on every £100 currency value per Invoice.	Other Duties.
	£ s. d.	£ s. d.
Anchors and Chain Cables,	1 0 0	
Almonds, Jordan and Shelled, per lb.		0 0 3
Ale, Porter and Beer per gallon,		0 0 5
Blocks and Dead Eyes,	5 0 0	
Bar Iron, Bar and Spring Steel,	5 0 0	
Buffalo Robes,	10 0 0	
Boots and Shoes of all kinds.	12 10 0	
Bread, fine, and Crackers of all kinds, except Ship and Navy Bread,	10 0 0	
Butter the cwt.		0 10 0
Bread, Ship and Pilot, per 100 lbs.		0 1 0
Bacon the cwt.		0 10 0
Beef the barrel,		0 6 0
Brooms (Corn.)	12 10 0	
Books, being the reprints of British authors, under the Imperial Act 11th Vic., Cap. 28.	20 0 0	
Burning Fluid, Kerosene, Parafine, Rock combination and all other descriptions of Oils manufactured from Coal, per gallon,		0 0 7½
Canvas and Sail Cloth,	2 0 0	
Copper, Brass and Composition, Bars, Bolts, Rudder Braces, Clinch rings, Sheets and Sheathing Nails,	2 0 0	
Clothes ready made, namely, Coats, Overcoats, Vests, Jackets and Trou- sers.	12 10 0	
Carriages of all kinds,	12 10 0	
Cigars,	20 0 0	
Clocks,	25 0 0	
Coffee, roasted or ground, per lb.		0 0 3
Coffee, green, per lb.		0 0 2
Chocolate, Cocoa paste, Or Broma the lb.		0 0 3
Cider per gallon,		0 0 5
Confectionary of all kinds, per lb.		0 0 4
Currants, Raisins, Prunes, Figs and all other kinds of dried fruit, per lb.		0 0 1
Cheese the cwt.		0 5 0
Cordage (see rigging.)		
Flour, Wheat and Rye and Cornmeal per bbl.		0 1 6
Hams the cwt		0 10 0

Table of du-  
ties.

ARTICLES.	1st Column.		2d Column.	
	Per cent'ge <i>ad valorem</i> duty on every £100 currency value per Invoice.		Other Duties.	
	£	s. d.	£	s. d.
<b>Table of Du-</b> Fruit and Vegetables, undried,	5	0 0		
<b>ties.</b> Gypsum, ground and unground,	5	0 0		
Iron Bars and Straps, intended for				
strapping Riders and Knees of Ships,	2	0 0		
Jewellery of all kinds,	10	0 0		
Leather of all kinds except Sole Leather,	5	0 0		
Leather, sole, the lb.			0	0 1
Looking Glasses,	12	10 0		
Lard per cwt.			0	10 0
✓ Matches,	12	10 0		
Molasses per gallon,			0	0 4
Machinery, all Wheel Machinery and				
machinery for manufacturing, or to be				
used in the formation of Clocks,	20	0 0		
Medicines, patent,	30	0 0		
Onions per 100 lbs.			0	8 0
Oakum,	2	0 0		
Pork per barrel,			0	6 0
Rigging and Cordage,	2	0 0		
Rosin, Pitch and Tar,	2	0 0		
Rice,	5	0 0		
Steam Engines and Boilers,	2	0 0		
Sails,	2	0 0		
Sails, Rigging and ship materials saved				
from vessels wrecked on the coast of				
this Island, duty payable on account				
sales,	10	0 0		
Hulls of wrecked Ships not belonging				
to this Island,	10	0 0		
Ship Stores and Cargoes saved from				
wrecks or sold in vessels stranded, to				
pay the same duty as in cases of im-				
portation,				
Sugar, refined, per lb.			0	0 3
Sugar, Brown and Muscovado, per cwt.			0	7 0
Trunks, Valises, Pormanteaus,	12	10 0		
Tea per lb.			0	0 4
Tobacco, manufactured, per lb.			0	0 6
Tobacco, unmanufactured, the pound,				
three pence duty on the same to be				
levied on the quantity imported, with-				
out any reduction for stems or other-				
wise.			0	0 3
Watches and all Machinery to be used				
in the formation thereof,	10	0 0		
Wood, articles manufactured from, and				
such articles of which wood forms the				

ARTICLES.	1st Column.	2d Column.
	Per cent'ge <i>ad valorem</i> duty on every £100 currency value per Invoice.	Other Duties.
principal part, not hereinbefore mentioned.	£ s. d. 12 10 0	Table of Duties.
<i>Wines, Spirits, &amp;c..</i>		
Wines, Claret and all other light Wines, except Port and Sherry, the first cost of which is under twenty pounds sterling per Pipe,	25 0 0	
Port and Sherry Wine and all other Wines costing twenty pounds sterling per pipe, per gallon, in addition to five per cent. <i>ad valorem</i> duty,	5 0 0	
Spirits, namely Brandy, imported into this Island at the Ports of Charlottetown, Georgetown, Summerside and Souris, not exceeding the strength of proof by Sykes' hydrometer, and so in proportion for any greater strength than the strength of proof per gallon.		
Spirits, namely Brandy, imported into this Island at any other Ports, for every gallon thereof of any strength under and not exceeding the strength of proof 28 by the bubble,		
And for every bubble below 28 in number by the bubble, an additional 3d per gallon,		
Spirits, namely Gin, Cordials and Whiskey, imported into this Island at the Ports of Charlottetown, Georgetown, Summerside and Souris, not exceeding the strength of proof by Sykes' hydrometer, and so in proportion for any greater strength than the strength of proof per gallon,		
Spirits, namely Gin, Cordials and Whiskey, imported into this Island at any other ports, for every gallon thereof of any strength under and not exceeding the strength of proof of 28 by the bubble,		
And for every bubble below 28 in number by the bubble, an additional 3½d per gallon,		
Rum or other distilled Spirituous Liquors, imported into this Island, not exceeding the strength of proof by Sykes' hy-		

ARTICLES.	1st Column.			2d Column.		
	Per cent'ge <i>ad valorem</i> duty on every £100 currency value per Invoice.			Other Duties.		
	£	s.	d.	£	s.	d.
drometer, and so in proportion for any greater strength than the strength of proof and landed at the ports of Charlottetown, Georgetown, Summer-side and Souris, per gallon,				0	2	0
Rum, or other distilled Spirituous Li- quors, imported into this Island at any other ports, for every gallon thereof of any strength under and not exceed- ing the strength of proof 28 by the bubble,				0	2	0
And for every bubble below 28 in number by the bubble, an additional 2d per gallon,				0	0	2
Lemon Syrup, Shrub, Santa and Gin- gerette, per gallon,				0	1	0
Tinctures per gallon,				0	2	0
Spirituous Liquors, on all manufactured or distilled in this Island, per gallon,				0	0	6
On all Goods, Wares and Merchandize, not above enumerated, except as here- inafter mentioned and excepted, sav- ing and excepting all exemptions reserved and contained in and by the 8th section of the Act 19th Vic., Cap 1,	10	0	0			

### TABLE OF EXEMPTIONS.

Table of ex-  
emptions.

III. All articles in the following Table, im-  
ported from any country or colony whatsoever,  
shall be exempt from duty, to wit:

All articles imported by the Lieutenant Gover-  
nor, for his own use,—ashes, namely, pot  
ashes, pearl ashes, and soda ashes.

Baggage, apparel, household effects, working tools  
and implements, used and in use of persons or  
families arriving in this Island, if used abroad

by them, and not intended for any other person or persons or for sale.

Table of exemptions.

Barrels and half barrels of all kinds, books, printed, of all kinds, not prohibited to be imported into the United Kingdom.

Maps and Charts.

Blocks, rigging and sails which may have been used to take new vessels from this Island to a market for sale, if such blocks, rigging and sails shall be returned forthwith after the sale of the vessel direct to this Island by the exporter thereof and shall have previously paid and shall have been charged with the duties by law imposed thereon on the first importation thereof into this Island.

Broom corn and Bark.

Coal.

Dye woods of all kinds (ground and unground.)

Engines, (fire.)

Flax.

Fish of all kinds, and products of fish and all other creatures living in the water.

Furs, skins and tails, (undressed.)

Grindstones hewn, (wrought or unwrought.)

Hemp and tow, (unmanufactured.)

Hides.

Horns.

Iron, (pig.)

Lime.

Manures.

Fish Oil.

Organs and Bells imported expressly for any Church, Chapel or Sacred Edifice in this Island and intended to be placed therein.

Ores of metals of all kinds

Ordnance or Commissariat stores or war munitions of any kind, or military baggage or clothing brought into this Island for the use of Her Majesty's Army, Navy or Militia by any Commissary or other person in Her Majesty's Service.

Table of exemptions.	<p>Military clothing and accoutrements for the use of Her Majesty's Volunteer Corps in this Island.</p> <p>Printing paper, Royal and Demy, in use for newspapers.</p> <p>Poultry and Eggs.</p> <p>Pelts.</p> <p>Plants, Shrubs and Trees.</p> <p>Rags.</p> <p>Salt.</p> <p>Seeds.</p> <p>Slate.</p> <p>Stone or Marble, sawn or in its crude or unwrought state.</p> <p>Burr, or limestone.</p> <p>Stock, live of all kinds for breeding purposes.</p> <p>Seines, nets for the use of the Fisheries.</p> <p>Staves.</p> <p>Tallow.</p> <p>Teazels.</p> <p>Timber and Lumber of all kinds, round, hewn and sawed, (unmanufactured.)</p> <p>Firewood.</p> <p>Wool.</p>
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Enactments in 19 Vic., cap. 1, to apply to the collection of duties under this Act.

IV. All and every the powers and authorities, provisions, rules, regulations, directions, penalties, forfeitures, clauses, matters and things in the said recited act of the nineteenth Victoria, chapter one, shall severally, and respectively be duly observed, practised, and applied to, and put in execution, in relation to the duties thereby and hereby imposed, and granted, as well during the time hereby limited, as after the expiration thereof, for securing, levying, collecting and recovering the said duties, and all arrears thereof, and all penalties and forfeitures that may have heretofore been incurred under and by virtue of the said recited Act; and for suing for and recovering all such penalties as shall have been or may be incurred in relation to the said duties, as fully and effectually, to all intents and purposes, as if the

same powers and authorities, rules, regulations, directions, penalties, forfeitures, clauses, matters and things were particularly repeated and re-enacted in the body of this Act, with reference to the said duties hereby or thereby granted and imposed.

V. No rum, brandy, gin or alcohol shall be imported or brought into this Island in any cask or package not capable of containing at least sixty gallons (except as hereinafter excepted,) and any person offending against the provisions of this section shall forfeit Ten pounds for every cask or package, and the liquors shall be forfeited, provided that nothing in this section contained shall apply to any such liquors imported into this Island from Europe, the British West Indies or any British possession in North America.

Importation of spirituous liquors in casks of less than 60 gallons prohibited, except, &c.

VI. On the seizure of any goods, wares and merchandize by the Landwaiter or Preventive Officer, under the provisions of the said hereinbefore recited Act, the duties on such goods, wares and merchandize shall be first paid into the public Treasury, within thirty days after the sale thereof, and the balance or residue of the proceeds arising from such sales, after the payment of the duties as aforesaid, shall be paid to, or equally divided between, the officer or officers making the seizure, together with three-fourth parts of all fines relating to such seizure, which shall be sued for and recovered in the name or names of such officer or officers making the seizure, or by an information filed by the Attorney or Solicitor General.

Duties on goods seized to be paid into the Treasury and balance of proceeds, with fines to go to seizing officer.

VII. No goods, wares or merchandize shall be liable to forfeiture by reason of the same not having been duly entered by the master of the ship or vessel in which the same shall have been imported, provided always that such goods,

Forfeiture not incurred for default of master's entry, if entry made by Importer.



wares or merchandize shall have been duly entered, according to Law, by the importer or consignee thereof, or other person interested in the same.

No ship liable to seizure for offence of charter where he is not also owner.

VIII. No ship or vessel shall be liable to seizure, detention or forfeiture under the provisions of the said recited Act, by reason of any breach or violation of the said Act having been committed by the master, (not being the owner) of such ship or vessel, unless the owner or owners of such ship or vessel shall, either directly or indirectly, be privy or accessory to, or in some way concerned in the breach or violation of such Act as aforesaid.

Masters of ships to report to Collector within 24 hours after arrival.

IX. All masters of ships coasting, fishing, and of all other vessels whatsoever, whether laden or in ballast, coming into any harbor, port, river or creek, or any other part of the coasts of this Island, shall, before breaking bulk, or landing passengers or baggage, and within twenty-four hours after their arrival, make report in writing, upon oath, to the Collector of Impost for the harbor or district wherein such vessel shall have arrived, and the masters of all vessels having on board any wines, gin, brandy, rum, or other distilled spirituous liquors, tea, tobacco, goods, wares or merchandize, of what nature or kind soever, shall also specify, in such report, the kinds of casks, packages, parcels, boxes, trunks, bales, and all other manner of things in which such wines, gin, brandy, rum, or other distilled spirituous liquors, tea, tobacco, goods, wares and merchandize shall or may be contained, together with the marks and numbers thereof, and that they have not landed, or suffered to be landed, sold, bartered, or exchanged, any wine, gin, brandy, rum, or other distilled spirituous liquors, tea, tobacco, goods, wares or merchandize, at any port or place within this Island, or on the coast

thereof, since their sailing from the port or place where the same were laden, on board any ship or vessel for exportation, which oath the said Collector is empowered to administer, in the form following :—

You, A. B., do swear that the report which you have made, (read, or heard read, as the case may be,) and subscribed, contains a just and true account of all wines, gin, brandy, rum, or other distilled spirituous liquors, tea, tobacco, goods, wares or merchandize, laden on board the , at the port of , or any other port or ports, or elsewhere, before or since your sailing from , and that you have not landed, nor suffered to be landed, sold or delivered, bartered or exchanged, any wine, gin, brandy, rum, or other distilled spirituous liquors, tea, tobacco, goods, wares or merchandize, at any port or place within this Island, or on the coast thereof, since your sailing from , or since your sailing from any other place.

Form of master's oath on reporting cargo.

So help you God.

X. When any landwaiter or preventive officer shall have made a seizure of any goods prohibited or unlawfully imported, or attempted to be unlawfully imported or landed in this Island, it shall be the duty of such officer, and he is hereby required to furnish to the nearest Collector of Impost, a list or account of the goods so seized, before proceeding to the sale thereof, and which sale should be made known by posting a notice thereof in the form prescribed in the schedule marked "A," to this Act annexed, in twelve of the most public places at and in the vicinity of the place where such sale is to take place, at least fifteen days previous to such sale, and the Collector or Collectors of Impost who may receive such list of seizures as aforesaid, are hereby required to furnish the same annually to the Treasurer of this Island, who shall lay the same before the House of Assembly at the next session thereof.

When Goods seized, a list to be furnished to Collector of Impost.

Form of Notice of Sale of seized Goods.

XI. For the better and more effectually securing the several duties, fines, forfeitures, and penalties arising by virtue of this or any other Act relating to the revenue, now or hereafter to be in force, the Chief Justice, or in his absence any

Bail may be required for duties or penalties.

Judge of the Supreme Court, is hereby authorized and empowered on application made by the Attorney General or any other officer prosecuting on the part of the Crown for that purpose, to grant a bailable writ or warrant against any person liable for the said duties, penalties, fines and forfeitures, and such person shall be imprisoned or detained in the County Jail, until he shall have given bail to answer the judgment and costs in any action to which he shall have rendered himself liable, or then commenced or pending against him, for such duties, fines, forfeitures, and penalties.

Drawback on  
exportation of  
Dutiable Ar-  
ticles.

XII. There shall be allowed and paid on all wines, gin, brandy, rum, or other distilled spirituous liquors, tea, tobacco, and all goods, wares and merchandize, that have already been or that shall hereafter be imported into this Island or manufactured therein, on exportation of the same therefrom, a drawback equal in amount to the whole duty paid or secured to be paid on such, on the importation thereof.

Revenue offi-  
cer and Jus-  
tice of the  
Peace author-  
ized to enter  
buildings to  
make search,  
&c.

XIII. Any revenue officer having reasonable cause to suspect goods liable to forfeiture to be in any particular building, may in company with any Justice of the Peace for the County where the building is situate, who is hereby required to accompany him, enter such building at any time between sunrise and sunset, but if the doors are fastened then admission shall first be demanded and the purpose for which such entry is required, when declared if admission shall not be given, the Justice shall order the officer forcibly to enter and when, in either case entry shall be made, the officer shall search the building and seize all forfeited goods.

Old duties to  
be collected by  
new law, but

XIV. Duties on goods imported before the coming into operation of an Act imposing new duties, and whereon the duties have not been paid

or secured shall be collected under the new law, but forfeitures shall be recovered under the law under which they were incurred, notwithstanding such law may have expired. penalties under old Act.

XV. During the continuation of this Act, it shall be lawful for the Lieutenant Governor, or other Administrator of the Government for the time being, to grant licenses to distil, extract or manufacture spirituous liquors in this Island, which licenses shall be in force from the date thereof respectively, until the first day of May, one thousand eight hundred and sixty-nine, and the rate or price of every such license shall be twenty-five pounds for each and every distillery, which sum shall be paid into the Treasury of this Island, for the use of Her Majesty's Government; and every person who shall pay the said sum of Twenty-five pounds, or shall enter into, sign, seal and execute a bond and warrant of Attorney, with one good and sufficient surety, before the Collector of Impost for the District wherein the distillery of the person so seeking such license shall be situate, conditioned to pay such sum within six months, with interest thereon, from the date thereof, and shall produce to the Treasurer of this Island a certificate from such Collector of the fact of such bond and warrant of Attorney having been given for the amount aforesaid, (which bond and warrant of Attorney the Collector is hereby required to take before granting such certificate), such person shall be entitled to receive a license to distil, extract or manufacture any spirituous liquors during the period for which such license shall be granted, the bond and warrant of Attorney to be given as last hereinbefore prescribed, shall be of like form and effect as the bond and warrant of Attorney, hereafter to be given by the importers of goods, wares and merchandize, to secure the payment of duties thereon under the provisions of the said recited Act of the License to distil spirituous liquors. How obtained.

Bond to be given.

Nineteenth Victoria, Chapter One, as amended by this Act.

Penalty for distilling without license. **XVI.** It shall be unlawful for any person, during the continuation of this Act, to distil, extract or manufacture spirituous liquors in this Island, without having first obtained such license as aforesaid; and any person or persons who shall so distil, extract or manufacture spirituous liquors, without having first obtained a license therefor, for every distiller, as hereinbefore required, shall, for each and every offence, forfeit and pay to Her Majesty a fine not exceeding One Hundred pounds, to be paid into the Treasury of this Island for the use of Her Majesty's Government.

Owners, &c., of distilleries to account, on oath, each alternate month as to quantity of liquors distilled. **XVII.** The owner or owners of any distillery, or other person or persons who shall manufacture any distilled spirituous liquors in this Island, and in case such distillery shall be conducted or carried on by any servant or servants having the care and management of the same, such owners, masters or servants, respectively, shall, on the first Monday in June, and on every first Monday in every alternate month thereafter, in each year, during the continuance of this Act, render a just and true account, in writing, to the nearest Collector of Impost and Excise, of the quantity of all spirituous liquors distilled or manufactured by him or them for the two months then last past, and shall also, in such account, state whether the spirituous liquors therein referred to have been distilled from molasses, or barley, or grain, and how much from each, respectively, and shall make and subscribe, before the said Collector, the following Oath, which oath the said Collector is hereby required to administer:—

Form of oath. I, A. B., do swear that the account which I have now rendered and subscribed, contains a just and true account of all the rum, brandy, gin or whiskey distilled by me, (or if entry be

made by foreman or servant, for any person or persons, since the day of last past), and also that the substances from which the same have been extracted or manufactured are truly mentioned and stated in the said account.

So help me God.

XVIII. And the said owner, master or servant after making and subscribing the before mentioned Oath shall forthwith pay or secure unto the said Collector of Impost and Excise the amount of duty imposed and due on such liquor so manufactured as aforesaid during the two months then last past, the same to be paid or secured as directed by this Act, in the case of liquors or other goods and merchandize imported into this Island.

Owner, &c.,  
to pay to Col-  
lector duty  
imposed.

XIX. If any person shall neglect or refuse to make such return, or shall make a false return of the quantity of spirituous liquors so manufactured or distilled by him, or of the substances from which the same have been manufactured or shall refuse to pay or secure the amount of duties on such liquors, such person shall for each and every offence, forfeit and pay the sum of Twenty Pounds, and shall likewise, forfeit the license to manufacture or distil, so granted to him as aforesaid, and no license shall or may be granted to any person whomsoever, to manufacture or distil in the distillery of any person whose license shall be so forfeited and cancelled, for the period of six months next after the same shall have been so cancelled.

Penalty for  
false return of  
home distilled  
spirits, or ne-  
glect of re-  
turn.

XX. For the better detecting persons distilling, extracting, or manufacturing spirituous liquors without license as aforesaid, and also the better to enable the officers of the revenue, collecting the duties imposed by this or any other Act of the Legislature on the distillation, extraction, manufacturing or importation of such spirituous liquors, or other dutiable articles, it shall be lawful for any Collector of Impost, Controller of the Navigation Laws, Preventive Officer, or other person appointed for collecting, securing, or protecting the rev-

Power given  
to Revenue  
Officers, &c.,  
to enter sus-  
pected pre-  
mises to dis-  
cover illicit  
distilling.

enue, and he is hereby authorized to enter into and upon all houses or other buildings and premises wherein he may have suspicion and of the sufficiency of such suspicion the officer shall be the sole judge that spirituous liquors may have lately been, or are being distilled, extracted, or manufactured without license, or without the duties imposed by this, or any other Act, having been paid or secured therefor or wherein he may suspect any goods, articles, or spirituous liquors liable to duty under this Act, or any other Act of the Legislature of this Island and illegally manufactured, distilled, or extracted, imported or landed are and if on investigation he shall find such to have been, or to be the case he shall, and he is hereby authorized, and required, to seize and carry away the same and sell the same at public auction, within fifteen days after such seizure, unless the owner of the spirits, or other dutiable articles, shall prove to the satisfaction of the officer making seizure that no breach of this, or any other Act in force relating to the importing, distilling, extracting, or manufacturing of spirituous liquors, has been made, or that the duties payable in respect thereof have been paid, and the officer making the seizure shall be entitled to the same proportion of the amount of the sale as in the fifty-fourth section of the Act of the nineteenth Victoria Chapter one is awarded to Preventive Officers and Landwaiters making seizure, and a similar amount to that also pointed out in the said section of the said last recited Act, shall be paid into the Treasury of this Island for the use of Her Majesty's Government.

Power to seize and sell illegally manufactured liquors.

Share of remuneration to Officers.

Distillers, after conviction of certain breaches of Act, to be prohibited from distilling for 6 months.

XXI. Any distiller, or his agent or servant or other person, who shall be convicted of having wilfully and fraudulently made a return short of the real quantity of liquor made by him, or shall make a false return of the substances from which the same has been made, or who shall be convicted of having refused to account or pay, or secure

the duties at the times prescribed by law, or who shall have delayed his return or payment, or security therefor, for more than ten days after the expiration of the two months from the day wherein he last accounted, shall, on conviction thereof, over and above the aforesaid penalty, be held not entitled to distil for six months from and after the day of such conviction, under the penalty of five pounds for each and every day he or those employed by him shall so distil after such conviction.

XXII. The Treasurer shall publish a list of the persons licensed to distil spirituous liquors in the *Royal Gazette* newspaper once in each and every month, instead of quarterly, as prescribed in and by the sixty-fifth section of the hereinbefore recited Act of nineteenth Victoria, Chapter One.

Treasurer to publish list of licensed Distillers in Royal Gazette.

XXIII. Any person or persons who shall, after the passing of this Act, give to any Collector of Excise or Preventive Officer, or to any Justice of the Peace in this Island, information of any unlicensed distillation being carried on within this Island, or of any spirituous liquors which have not paid the duties imposed upon the same by the laws of this Island, and which shall be liable to seizure, such person or persons shall, on the conviction of the parties so carrying on unlicensed distillation, or of the condemnation and sale of any such spirituous liquors, which shall have been seized in consequence of the nonpayment of the duties payable thereon, be entitled to receive the half of the fine which shall be imposed on any such distiller, or one-half of the proceeds of any spirituous liquors which may be condemned and sold as aforesaid.

Informers of unlicensed distillation to have half proceeds of condemned liquors.

XXIV. From and after the passing of this Act, instead of the credit mentioned in the seventy-eighth section of the said recited Act of the

Terms of credit for duties regulated



nineteenth Victoria, Chapter one, to be given for duties on goods, wares and merchandize to the importer thereof, as therein mentioned, the following terms of credit for duties shall be given, that is to say : If the said duties shall exceed the sum of ten pounds and not amount to more than thirty pounds, a credit of three months shall be given therefor, and if the said duties shall exceed thirty pounds a credit of six months shall be given for the payment thereof; and no longer time than six months shall in any case be given, and all bonds and recognizances hereafter to be entered into for securing the payment of duties on goods, wares and merchandize of any kind whatsoever, shall bear interest on the amount thereof at the rate of six pounds per centum per annum, and such interest shall be computed and paid and payable from the day of the date of such bond or recognizance until the payment thereof; provided always, that nothing in this or any other Act contained shall be held or construed to entitle or give any person or persons any right or claim to a longer term of credit, for the amount of any bond or recognizance than the time therein mentioned for the payment thereof.

3 months

6 months.

Interest payable on bonds.

Extreme limits of credit.

Form of warrant of Attorney for duties.

XXV. The warrant of attorney by law required to be taken by the Collector of Impost, in addition to the recognizance directed to be entered into as security for the payment of duties of Impost and Excise, shall, as well as the defeasance thereon to be endorsed, be in the form of the Schedule to this Act annexed marked (B.), or in such other form as the Lieutenant Governor, or other Administrator of the Government for the time being, in Council may, from time to time, direct.

Queen's Counsel authorised to sign Judgment papers.

XXVI. It shall be competent and lawful for any of Her Majesty's Queen's Counsel in this Island, when called upon so to do, in the absence

or in the event of the incapacity from illness of the Attorney or Solicitor General, or when either of those offices shall be vacant, to sign all necessary declarations, pleas, bail pieces and other papers required to be signed, in order to enter up judgment in Her Majesty's Supreme Court of Judicature, on any warrant of attorney heretofore taken by Collectors of Impost and Excise, in addition to the recognizance by law directed to be taken as security for the payment of duties of Impost and Excise, notwithstanding that such warrant of attorney shall be directed to the Attorney and Solicitor General only ; also to issue execution on the same, to take all necessary steps to perfect execution, and to acknowledge satisfaction under any such circumstances as aforesaid, when payment has been recovered or received.

XXVII. All warrants of Attorney which have heretofore been taken by Collectors of Impost and Excise, in addition to the recognizance by law directed to be taken as security for payment of the duties of Impost and Excise, shall, notwithstanding that the same shall not, in all cases, be found to have been strictly taken in accordance with the directions contained in the statutes in force respecting the same, or the taking or form of such warrants of Attorney be held and deemed to be good and valid, and to be sufficient to enable and authorize judgment to be entered up thereon in Her Majesty's Supreme Court of Judicature, as of the term of the said Supreme Court in Queen's County, next preceding the date of entering up judgment or otherwise, as the case may be, and execution to be issued thereon for the recovery of the amount purporting to be secured thereby and by the recognizance taken at the same time therewith.

All warrants of Attorney, heretofore taken for duties, to be good, notwithstanding defects.

XXVIII. The tenth, twenty-fourth, forty-fourth, fifty-third, fifty-fourth, sixty-first, sixty-second, Certain sec-  
tions of 19

Vic., cap. 1, sixty-seventh, sixty-eighth, senventy-fifth and repealed. eighty-first sections of the said hereinbefore recited Act of the nineteenth Victoria, Chapter one, shall be and the same are hereby repealed.

**Penalties on Collector neglecting to administer oaths &c.** XXIX. Any Collector of Impost and Excise who shall neglect or omit to administer any of the oaths prescribed in and by the twenty-fifth, thirty-seventh, forty-ninth, seventieth and seventy-second sections of the hereinbefore recited Act of the nineteenth Victoria, Chapter one, and in and by any of the sections of this Act, shall, for each and every such neglect or omission, forfeit and pay into the Treasury of this Island the sum of fifty pounds, for the use of Her Majesty's Government, to be recovered in the Supreme Court of Judicature, in Her Majesty's name, in an action of debt on the oath of a credible witness

**Collectors' commissions to be paid by warrant.** XXX. All Collectors of Impost, now or hereafter to be appointed, shall, on rendering a just and true account of, and paying into the Treasury of this Island, all moneys received by them under and by virtue of the provisions of this Act, and on their accounts being certified as correct by the Auditors of Public Accounts, be paid by warrant drawn by the Lieutenant Governor in Council on the Treasury of this Island, an amount equal to five pounds per centum on all moneys received and paid over by such Collectors of Impost under this Act, except the Collectors of Impost for Charlottetown, Georgetown and Bedeque, who are already provided for by salary.

**Goods imported in steam vessels may be landed in certain cases without entry** XXXI. All goods, wares and merchandize imported into this Island in steam vessels may be landed by the masters or officers thereof without previous entry of such steam vessel, or the goods, wares and merchandize so imported in them at the Impost Office, or permit to land the same being had, provided all such goods, wares and merchandize be, on landing, placed by such

master or other officer in the custody of the Preventive or other Revenue Officer, and all such officers receiving goods, wares or merchandize, so landed from any steamer without previous entry, shall retain possession thereof on behalf of the Collector of Impost for the Port in which the same shall be landed, until the duties due in respect thereof shall have been paid or secured, any law to the contrary notwithstanding.

XXXII. It shall be unlawful for any person or persons to import into this Island any indecent or obscene paintings, books, cards, lithographs, or other engravings, or any other indecent or obscene articles, and if imported the same shall be seized and destroyed by any Collector of Impost, and Excise or Preventive Officer.

Importation of obscene printings, &c., prohibited.

XXXIII. All fines, penalties, and forfeitures imposed under or by virtue of any of the provisions contained in the hereinbefore recited Act of the nineteenth Victoria, Chapter one, or of this Act, may be prosecuted and sued for by information of Her Majesty's Attorney or Solicitor General, filed in the Supreme Court of this Island.

Penalties imposed by 19 Vic., cap 1, how recovered

XXXIV. Materials used for manufacturing purposes and which form the basis or principal ingredient or component in the manufacture of any article may be imported into this Island in original casks or packages of not less capacity than thirty-five gallons when imported solely for manufacturing purposes and entered at the Customs in this Island as such.

Materials for manufacturing may be imported in casks not less than 35 gals.

XXXV. The importer of any such materials shall take the following oath before the Collector.

Importer's oath.

I, A. B., do swear that the [mentioning the articles] imported by me in the vessel's name, (name master) from (name of place) are intended to be used by me for manufacturing purposes.  
So help me God.

XXXVI. When any person shall signify to the Lieutenant Governor in Council that he intends

Discretionary power given

to Lieut. Governor in Council to admit machinery, &c., duty free, on application.

importing into this Island machinery for the purpose of sitting up, or putting in operation, any Factory or manufacturing establishment therein, the said Lieutenant Governor in Council, if he think fit so to do, may make an order to admit any such machinery free of duty, subject to such rules and regulations as the said Lieutenant Governor in Council shall see fit to make concerning the same.

Drawback upon exportation allowed upon materials forming part of manufactured articles, &c., on complying with provisions of 19 Vic cap. 1, relating to Drawbacks.

XXXVII. Drawback on exportation to the amount of the original duty paid or secured thereon shall be allowed on materials imported into this Island, or manufactured therein, and forming part of articles manufactured therein, on the exporter complying with the provisions of the said recited Act of the nineteenth Victoria Chapter one relating to drawback on the articles therein mentioned.

Duration of Act.

XXXVIII. This Act shall go into operation and be in force immediately on the passing thereof, and from thence shall continue and be in force until the First day of May, in the year of our Lord one thousand eight hundred and sixty-nine.

Act may be altered, &c., during session

XXXIX. This Act may be repealed, altered or amended by any Act or Acts to be passed during the present session.

Repeals, 30 Vic., Cap. 1.

XL. So soon as this Act shall go into operation the Act of the thirtieth Victoria Chapter one "intituled, An Act for raising a Revenue," and the Act of the thirtieth Victoria Chapter two, shall be, and the same are hereby severally repealed.

Preventive officers to look after Steamships to be appointed at certain ports, and their duties.

XLI. Preventive Officers, not exceeding more than one for each place, shall be appointed for Charlottetown, Summerside, Georgetown, Souris and Murray Harbor, whose duty it shall be, on the arrival of any of the Mail Steamers or the Boston, Halifax or any other Steamship, to go on board same and demand from the Captain or

person in command a manifest of the cargo on board (passengers' effects excepted,) and such manifest shall be prepared and delivered on demand, by the Captain or commandant, to the Preventive Officer, who shall, as soon as possible, forward the same to the Collector of Customs for the port. Provided that any Captain or commandant of any such Steamship who shall wilfully deliver a false manifest of the cargo on board his steamship, shall be liable to a penalty of one hundred pounds, to be recovered in the way and manner provided by the said recited Act of the Nineteenth Victoria, Chapter one, or by this or any other law relating to the Revenue.

Penalty on master, &c., for delivering false manifest.

XLII. All goods, wares and merchandize, for which no permit shall have been procured, shall be delivered, if landed by the Captain or commandant of any such steamship, to the Preventive Officer for the port, who shall store the same in some convenient warehouse, at the risk and expense of the owner, who, on production of a permit and payment of all expenses and the freight thereof, shall be entitled to have the said goods delivered to him.

Goods, &c., for which no permit obtained, to be delivered by master to preventive officer and warehoused by him &c. at expense of owner.

XLIII. All vessels proceeding up any River in this Island and passing a port of entry, shall make an entry of their cargoes at such last named port of entry before proceeding further, under a penalty of Fifty pounds, to be paid by the master or owner of said vessel, and recovered in the way and manner directed for the recovery of penalties under the said recited Act of the nineteenth Victoria, Chapter one.

Vessel going up a river to enter at first port of entry arrived at.

Schedules to which this Act refers.

SCHEDULE (A.)

Schedule A.

*Form of Notice of Sale of Goods.*

NOTICE.

A sale of Goods (as mentioned below) seized by me, will take place at \_\_\_\_\_ on \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_

A. B., Landwaiter or

Preventive Officer.

Form of notice of sale of goods.

[Here insert the list of Goods.]

Schudele B.

## SCHEDULE (B.)

To Her Majesty's Attorney General of Prince Edward Island, and Her Majesty's Solicitor General of the said Island, or to any of Her Majesty's Queen's Counsel of the said Island, or to any Attorney of the Supreme Court of Judicature therein.

Form of warrant of Attorney.

These are to desire and authorize you, or any of you, or any Attorney of the Supreme Court of Judicature of this Island, to appear for us in the said Court, as of term, or any other subsequent term, and then and there to receive a declaration for us in an action of debt for the sum of of lawful current money, for money borrowed at the suit of our Sovereign Lady the Queen, and thereupon to confess the said action, or else suffer a judgment by *nil dicit* or otherwise, to pass against us in the said action; and to be thereupon forthwith entered up of record against us in the said Court, for the said sum of besides costs of suit; and we do hereby further authorize and empower you, or any one of you, or any Attorney as aforesaid, after the said judgment shall be entered up as aforesaid, for us, and in our names, and as our act and deed, to sign, seal and execute a good and sufficient release in the law to our Sovereign Lady the Queen, her heirs and successors, of all and all manner of error and errors, writ and writs of error, and all benefit and advantage thereof, and misprison of error or errors, defects and imperfections whatsoever, had, made, done, committed or suffered, in, about, touching or concerning the aforesaid judgment, or in, about, touching or concerning any writ, warrant, process, declaration, plea, entry or other proceeding whatsoever, of or in any way concerning the same, and for what you, or any of you, shall do or cause to be done in the premises, or any of them, this shall be to you, and each of you, a sufficient warrant.

In witness whereof we have hereunto set our hand and seals this day of in the year of our Lord One thousand eight hundred and

Signed, sealed and delivered, }  
in the presence of }

### *Defeasance to be endorsed on Warrant of Attorney.*

Form of defeasance to warrant of Attorney.

This Warrant of Attorney is given and intended to secure unto our Sovereign Lady the Queen, her heirs and successors, the payment of the sum of of lawful current money of Prince Edward Island, on the day of next ensuing, with lawful interest thereon, from this date, at the rate of six pounds per centum per annum, and no execution is to issue unless default be made in the payment of the said sum of and lawful interest thereon in the meantime, as aforesaid, on the said day of next ensuing.

Witness our hands this  
Witness,

day of 186 .

## CAP. II.

**An Act in further amendment of the Laws regulating the Sale by License of Spirituous Liquors.**

[Passed 24th April, 1868.]

**B**E it enacted by the Lieutenant Governor, Council and Assembly, as follows :

I. From and after the passing of this Act, no Tavern or Store License to retail Spirituous Liquors, in less quantities than two gallons, (except in Charlottetown, Summerside and Georgetown,) shall be granted, unless on the production, by the applicant for such license, of a certificate signed by one of the two Justices of the Peace nearest to the proposed tavern or store of the applicant, setting forth that, at a public meeting called by the said Justice of the Peace, a majority of the inhabitants present at such meeting, qualified to vote for School trustees, in the School District where such tavern or store is situate, were desirous of having such tavern or store in operation.

No Tavern or Store License to retail less than 2 gallons to be granted (except in Charlottetown, Georgetown and Summerside) unless certificate by Justice, of approval of majority of inhabitants at public meeting be produced.

II. Provided, nevertheless, that no more than two of such meetings as aforesaid shall be convened in any one district in any one year, unless any licensed store or tavern shall have ceased to be used as such, owing to the death or removal from the district of the licensed owner or occupier of such tavern or store, within the said year.

No more than 2 meetings to be held in a district in one year, unless former Tavern, &c., shall be discontinued.

III. Such Justice of the Peace shall, if required, call and preside at such meeting in any such School District, and shall give notice thereof at least eight days prior thereto, by posting on the school-house of such district a notice of such meeting, and a like notice at two other of the most public places in the said district, and

Justice, if required, to preside at, and call meeting, &c.

Notice of meeting to be given.



Form of notice.

shall therein set forth the purpose, time and place of such meeting, (in form of Schedule (A.) to this Act annexed,) and, if a majority of the inhabitants of such district present at such meeting, qualified to vote for trustees, shall be in favor of such Tavern or Store license being granted, said Justice of the Peace shall grant a certificate, (as in Schedule (B.) to this Act annexed.)

Form of certificate of Justice if majority approve of license.

No Government office or Court hereafter established to be held in Tavern, &c.

IV. No Government office hereafter to be established, or Court of Justice now established, or hereafter to be constituted, shall be kept or held in any public house or tavern by law licensed to sell spirituous liquors.

No meeting to be convened but on requisition of 3 resident householders.

V. No meeting shall be convened by any such Justice of the Peace unless upon a requisition in writing, addressed to him, and signed by at least three resident house-holders, stating the name of the party or parties professing to apply at such meeting for a Tavern or Store license.

Fees of Justice of the Peace.

VI. The Justice of the Peace shall be entitled to the following fees under this Act, viz :

For writing and posting notices,	£0	2	6
Presiding at meeting,	0	2	6
Certificate,	0	1	6

to be paid by the party applying for a license.

Taverns to be open to travellers at all hours.

VII. That licensed Tavern keepers shall be compelled to open their houses to travellers at any hour of the night or day.

Schedule A.

#### SCHEDULE (A.)

##### NOTICE.

Form of notice of meeting.

A public meeting of the householders in \_\_\_\_\_ district will be held at \_\_\_\_\_ on \_\_\_\_\_ day of \_\_\_\_\_ 186 for the purpose of deciding, by a majority of said meeting, whether \_\_\_\_\_ shall have a certificate to obtain a Tavern (or Store) license.

Dated at

186

}

A. B.,  
J. P.

## SCHEDULE (B.)

## Schedule B.

I, the undersigned, do certify that at a public meeting, held according to law, at \_\_\_\_\_ on \_\_\_\_\_ a majority of the resident householders of \_\_\_\_\_ School District, present at said meeting, were favorable to Mr. \_\_\_\_\_ getting a Tavern (or Store) license.

Form of magistrate's certificate.

Dated at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 186

(Signed)

C. D.,

J. P.

## CAP. III.

**An Act further to amend and explain the  
Land Purchase Bill.**

16 Vic. cap.  
18,

[Passed 24th April, 1868.]

**W**HEREAS it is deemed advisable to further amend and to explain the provisions of the Act of the General Assembly of Prince Edward Island, passed in the Sixteenth year of the reign of Her Majesty Queen Victoria, entitled "An Act for the purchase of lands on behalf of the Government of Prince Edward Island, and to regulate the sale and management thereof, and for other purposes therein mentioned," and hereinafter in this Act, called the Land Purchase Bill, so far as the same relates to estates which have or may hereafter prove self-sustaining, purchased by the Government under its provisions. Be it therefore enacted by the Lieutenant Governor, Council and Assembly, as follows :

Preamble.

I. If at any time it shall appear, from the receipts and books of account kept in the office of the Commissioner of Public Lands or otherwise, that any estate, already or hereafter to be purchased by the Government, under the said Land Purchase Act, has proved self-sustaining, it shall be the duty of that officer, at once, in writing, to give notice thereof to His Excellency the Lieutenant Governor in Council, who

When any estate purchased shall have proved self-sustaining, Land Commissioner to notify same to Government.

Who shall  
cause examin-  
ation to be  
made.

If estate has  
proved self-  
sustaining,  
order to be  
made not to  
exact further  
payments, ex-  
cept from  
those tenants  
who have not  
paid a due  
proportion, &c

Order not to  
issue till pay-  
ments made  
have actually  
proved estate  
to be self-sus-  
taining.

shall thereupon, by such persons and means, and in such way as shall appear most proper and efficient, cause a full, careful and thorough investigation to be made into the matter, and an accurate statement, account and estimate of the position of the estate to be drawn up, and if it shall then clearly appear that the estate in question has proved self sustaining, the Lieutenant Governor, with the advice of the Executive Council, shall issue an order to the Commissioner of Public Lands requiring him not to exact any further payments from those Tenants or occupants of the estate who have paid up their full proportion or share of the sum required to make the same self-sustaining ; but the said Commissioner of Public Lands shall, nevertheless, still continue and proceed to collect and require payment from those tenants or occupants who shall not have paid up their full share or proportion, until they shall have paid the same, or been otherwise, on account of any peculiar circumstances, discharged therefrom by order of the Lieutenant Governor in Council. No such order by the Lieutenant Governor in Council to the Commissioner of Public Lands shall be issued until on investigation it shall be clearly ascertained that there has actually been received by the Government, from the tenants or occupants of the estate, an amount in money equal to the sum required to make the estate self-sustaining, after giving reasonable credit to it for the value of unsold lands, as hereinafter provided for.

Investigation  
may also be  
ordered on  
application of  
occupants, &c.

II. The investigation respecting any Estate in order to ascertain whether it has proved self-sustaining, authorized by the first section of this Act, may be ordered by the Lieutenant Governor in Council, on the petition of any tenants or occupants of the Estate heretofore

or hereafter, to be presented or sent in, in the absence of any notice of the Commissioner of Public Lands, or otherwise, if it shall appear just and reasonable.

III. In making such investigation and statement, account and estimate of the position of the Estate, all losses to the Government for Land Tax or otherwise, and all other losses, costs, charges and expenses connected with the Estate and the working thereof, or which can be fairly chargeable against it, as well as the amount of its purchase money and interest thereon, shall be taken into consideration, and a reasonable credit and allowance shall also be given to it and the tenants and occupants thereof, for any wilderness or other Lands connected with or belonging to it, remaining on hand unsold, and the Lieutenant Governor and Council may, if in their discretion they shall think it necessary, obtain information as to the reasonable value of the wilderness and unsold Lands, by causing the same to be valued, and a Report thereof, in writing, on oath, to be made by the Commissioner of Public Lands, in conjunction with two other fit and proper persons, to be appointed for the purpose by the Lieutenant Governor in Council, and after receipt of such Report, or without any such Report, if it shall not be deemed necessary to require one to be made, the Lieutenant Governor in Council shall make such order as shall appear just and proper in the premises, and declare the amount of the credit and allowance to be given to the Estate on account of such unsold Lands, which shall be final and conclusive on the point, and binding on all parties interested.

How\* account and estimate of position of estate to be ascertained and calculated.

Reasonable allowance for unsold lands, &c.

May be ascertained by valuation of persons appointed, if deemed necessary.

Finally, Lt. Governor shall make an order as to credit to be allowed for unsold lands, &c.

IV. Whenever, by the payment generally, (after such investigation as in the first section

When estate shall have

proved fully self-sustaining, re-payment may be made to those who have overpaid.

Discharge to be signed by Commissioner, if required.

Fees to be paid for discharge, &c.

Unsold lands of Estate still to be vested in Commissioner, &c.

of this act referred to), of all the tenants and occupants of the Estate, the Government shall have been fully reimbursed and sustained in regard of the purchase of the same, and shall have a sufficient amount in hand in excess thereof to enable them to do so, it shall be lawful for the Lieutenant Governor in Council to order the return to such tenants or occupants as may have paid the same (or their executors or administrators) of any amount paid by them in excess of their own due and proper share or proportion of the sum required to make the Estate self-sustaining, such return to be made in such way and under such regulations as may be ordained for the purpose by order of the Lieutenant Governor in Council, and a warrant or warrants on the Treasury, in the usual form, shall be issued in accordance with such order, and a receipt or discharge from further instalments or payments shall also, if required, be signed and endorsed by the Commissioner of Public Lands, upon the deeds of those tenants or occupants who shall have fully paid up their share or proportion, whenever he shall be authorized by order of the Lieutenant Governor in Council, to sign and endorse the same.

V. The Commissioner of Public Lands shall demand and receive from each tenant, occupant or purchaser requiring such endorsement of discharge, the sum of five shillings, to be paid into the Treasury of this Island for the use of the Government.

VI. The unsold Lands belonging to the Estate shall, nevertheless, still remain vested in the Commissioner of Public Lands, as before, to be managed and disposed of in accordance with the said Land Purchase Act, or otherwise, as may, from time to time, be by law ordained.

VII. The provisions of this Act shall extend to all Estates heretofore purchased, as well as to those which may hereafter be purchased by the Government under the Land Purchase Bill.

This Act to extend to estates purchased or to be purchased.

## CAP. IV.

### An Act to encourage the Settlement and Cultivation of Public Wilderness Lands.

[Passed April 24th, 1868.]

**W**HEREAS it is deemed expedient to encourage the settlement and cultivation of the Public Wilderness Lands in this Island, by selling the same on terms advantageous to persons desirous of settling thereon.

Preamble.

I. Be it therefore enacted by the Lieutenant Governor, Council and Assembly, as follows, that is to say, so soon as it can conveniently be done, after the passing of this Act, the Lieutenant Governor in Council shall cause so much and such parts of the wilderness lands in this Island belonging to the Government thereof, as they may deem expedient, to be, from time to time, and at any time or times hereafter, as they may see fit and proper, surveyed and set out in farms or locations of not less than fifty or more than one hundred acres to each farm or location, in such way and manner as the said Lieutenant Governor in Council may deem most expedient for the purpose of selling the same to any person or persons desirous of purchasing the same under the provisions of this Act.

Governor in Council to cause wilderness lands from time to time to be surveyed.

II. When the said wilderness lands or any part thereof shall have been so surveyed and set out, as aforesaid, the Lieutenant Governor of this Island, for the time being, in

Price per acre, how to be fixed.

Council, shall, from time to time, fix the price to be charged per acre for such wilderness lands.

Commissioner  
to advertise  
lands, with  
particulars.

Applicants  
deemed eli-  
gible to be en-  
titled to con-  
veyance, with  
restrictions,  
&c.

Fee for survey  
and deed.

Form of deed  
and defeas-  
ance.

16 Vic. cap.  
18.

III. The Commissioner of Public Lands shall advertise for sale, in the *Royal Gazette* newspaper of this Island, the said Lands so surveyed and set out as aforesaid, briefly describing and specifying therein the lands offered for sale, and giving such other particulars relating thereto as he may think necessary. Any person or persons applying to the Commissioner of Public Lands and consenting and agreeing to purchase a farm or location, at the price fixed thereon, as aforesaid, and complying with the terms and provisions of this Act, shall, if the said Commissioner shall consider him or them eligible, be entitled to have a farm or location conveyed to him or them, in manner and form as hereinafter mentioned, subject to the provisoes, conditions and restrictions in the Deed of Conveyance of such farm or location, and in this Act set forth and contained, with respect to such Land, and on paying to the said Commissioner five shillings for the survey of said land, and five shillings for the Deed of Conveyance and Duplicate thereof, provided always that no greater quantity than one hundred acres of such land shall be conveyed to any one person under this Act.

IV. When a farm or location is so sold by the said Commissioner of Public Lands, under this Act, the said Commissioner shall execute and deliver to the purchaser a Deed of Conveyance of the same, on payment of the fees in the last preceding section mentioned, and such Deed shall be in the form D, and the endorsement or defeasance thereon shall be in the form E, in the schedules to the Act of the sixteenth Victoria, chapter eighteen, annexed,

the said Deed and defeasance thereon endorsed being altered, if necessary, to suit the particular circumstances of the case, and the said defeasance to contain a proviso that the said purchaser shall erect a house or buildings on such land, and improve one acre of the same yearly, as hereinafter provided, and pay all taxes and assessment payable for such land, under any Act of this Island; and the amount of purchase money in such defeasance expressed, with interest, as therein mentioned, shall be, and the same is hereby declared to be, a specific lien and charge on the land described in the said deed, superior to and having a priority over every other lien or charge on the said land created by the purchaser thereof, or any one claiming under him and having a priority over any right of dower or any claim whatever, and payment of such purchase and interest shall be enforced, as hereinafter mentioned.

Purchase money to be a specific charge on the land sold.

V. The Commissioner of Public Lands shall cause duplicate copies of all Deeds of Conveyance executed by him under the provisions of this Act, with the defeasance endorsed thereon, as aforesaid, to be made and executed by the purchaser of the land therein described, and shall cause such purchaser, by endorsement thereon, to declare the said duplicate deed to be a true copy of the original Deed of Conveyance, and the same shall be deposited by the said Commissioner in his office, and shall remain of record therein.

Deed and defeasance to be executed in duplicate.

VI. The consideration money for any farm or location sold by the Commissioner under this Act, shall be payable as follows, that is to say, until the expiration of Eight years from the date of the Deed of Conveyance of any land sold under this Act, no part of the said

No purchase money or interest demandable for 8 years.



After which  
same shall be  
payable with  
interest by ten  
annual instal-  
ments.

purchase money nor interest for the same shall be demanded or payable but at the expiration of that term the said purchase money shall begin to be payable, and be paid in ten equal annual instalments, with interest thereon, at the rate of five per centum per annum on the amount from time to time remaining unpaid, the said interest to be paid annually, together with each instalment.

Every pur-  
chaser to erect  
dwelling  
house within  
2 years of  
certain size or  
value.

VII. Every purchaser of a farm or location under the provisions of this Act shall, within two years from the date of his Deed of Conveyance from the said Commissioner, as aforesaid, build and erect on his farm or location a dwelling house, not less than twenty feet square, nor less than eight feet in height of post; or, in lieu of such dwelling house, shall erect on said farm or location buildings to the value of Twenty pounds, and shall also, during the first eight years, as aforesaid, clear and cultivate, at least, one acre of ground on his said location in each year, besides paying, yearly and every year, all land assessment payable in respect of his location under any Act of this Island.

Pay assess-  
ment and clear  
one acre per  
annum during  
first 8 years.

Monies re-  
ceived here-  
under to be  
applied to pur-  
poses of 16  
Vic. cap. 18,

VIII. All monies arising under this Act from the sale of Wilderness Land, shall be paid to and received by the Commissioner of Public Lands, and applied for the purposes mentioned in the Act of the sixteenth Victoria, chapter eighteen.

Expense of  
working this  
Act how to be  
paid.

IX. The Lieutenant Governor may, with the advice and consent of the Executive Council, out of the monies arising under this Act, and being in the Treasury of this Island, pay the necessary expenses attendant on the working of this Act, the same to be paid by warrant drawn on the Treasurer in the usual manner.

X. Sections twenty-two, twenty-five, twenty-nine, thirty, thirty-one, forty, forty-one, forty-seven, forty-eight and fifty of the said recited Act of the sixteenth Victoria, chapter eighteen, and all other parts and sections of the said recited Act, shall be observed, applied to, and put in force with respect to the lands mentioned in this Act and sold hereunder, in so far as the said sections herein recited, and other parts of the said Act, may be applicable to the land so sold under the provisions of this Act.

Certain sections of 16 Vic. cap. 18 to be put in force in relation to lands hereunder to be sold.

XI. Should any purchaser or purchasers of land under this Act fail in erecting a house or buildings, as hereinbefore provided, on the land or location purchased by him or them, as aforesaid, or in clearing one acre thereof yearly, and cultivating the same for the first eight years, as aforesaid, the Deed of Conveyance granted to such purchaser or purchasers by the said Commissioner under this Act, shall, as soon as one or more default or defaults or failure in performing any of said conditions shall be made, at once be, and is hereby in every such case declared to be, void and of no effect; and it shall, thereupon, be lawful for the Lieutenant Governor in Council, if he shall see fit so to do, to direct the Commissioner of Public Lands to cause the said purchaser or purchasers and all others being thereon, to be ejected therefrom, and thereupon the said Commissioner shall direct a precept in the form in Schedule A to this Act annexed, to the Sheriff of the County wherein the said land may be situate, and the said Sheriff shall thereupon enter into and upon the said lands, and put out and remove therefrom the said purchaser or purchasers, and any person claiming under him or them, without any action of ejectment or writ of *Habere facias possessionem* being pros-

Deed of. Purchaser failing to perform conditions as to clearing land and building house to become void and he may be ejected.

Precept to Sheriff forthat purpose and mode of enforcing same.

ecuted for that purpose, and the said lands may be resold to any new purchaser or purchasers, as in the first instance under the provisions of this Act.

Purchase money, &c., in arrear to be levied as prescribed in 16 Vic. cap. 18.

XII. In case default be made in the payment of the purchase money or the interest thereof, or any part thereof, of any lands sold by the Commissioner of Public Lands under this Act, such purchase money and interest shall be levied and recovered in the same way and manner, and under and subject to the same regulations, notices, forms and provisions, as the purchase money of lands sold under the Act of the sixteenth Victoria, chapter eighteen, is levied and recovered, any form or notice in the said Act contained or provided being altered to suit the circumstances of the case.

Persons may still purchase wilderness lands under provisions of 16 Vic. cap. 18.

XIII. Nothing herein contained shall be held or construed to prevent any person or persons from purchasing from the Commissioner of Public Lands any number of acres of wilderness lands as he may desire to purchase under the provisions of the said recited Act of the sixteenth Victoria, chapter eighteen.

#### Schedule A.

#### SCHEDULE A.

To the Sheriff of

County.

Office of Commissioner  
of Public Lands,  
Charlottetown.

Form of precept to Sheriff

Whereas, C. D., of \_\_\_\_\_, in Prince Edward Island, formerly—under and by virtue of an Act passed in the thirty-first year of the reign of Her present Majesty, intituled, “An Act to encourage the settlement and cultivation of Public Wilderness Lands”—purchased from the Commissioner of Public Lands a certain tract of land situate on Township No. \_\_\_\_\_ in \_\_\_\_\_ County, and hath failed to erect a house or buildings thereon, or otherwise to improve the same, as required by the terms of his deed and of the said Act: Therefore, I, the Commissioner of Public Lands, by order of His Excellency the Lieutenant Governor in Council, and by virtue of the authority of the said Act, do command you, the said Sheriff, that you do put out and remove the said C. D., and all others, from the said land, and that you do

make return of this Precept, and certify in what manner you have executed the same to the office of the Commissioner of Public Lands, on or before the day of next ensuing.

A. B., [Seal of  
Commissioner of Public Lands. Office.]

## CAP. V.

**An Act to revive and continue a certain Act therein mentioned.** 22 Vic. cap. 8.

[Passed 24th April, 1868.]

**WHEREAS** the Act made and passed in the Twenty-second year of the reign of Her present Majesty, Chapter eight, intituled “An Act for regulating the size and quality of fish barrels and tierces, and the weight of fish made up therein, and for the appointment of fish inspectors, also to regulate the inspection of pickled fish for sale within this Island, and to repeal a certain Act therein mentioned,” has been allowed to expire contrary to the intention of the Legislature, and it is deemed expedient to revive and continue the same.—Be it therefore enacted, by the Lieutenant Governor, Council, and Assembly, that the said recited Act of the Twenty-second year of the reign of Her said Majesty Queen Victoria, Chapter eight, shall be, and the same is hereby revived and continued for the space of ten years from the passing hereof, and from thence to the end of the then next session of the General Assembly of this Island and no longer.

Preamble.

Continues for 10 years act 22 Vic. cap. 8, regulating size of fish barrels, &c., and appointment of fish inspector as regards pickled fish, &c.

## CAP. VI.

**An Act to consolidate and amend the several Laws relating to Education.**

[Passed 24th April, 1868.]

**WHEREAS** the Laws now in force establishing a system of free education in this Island require consolidation and amendment ;

Preamble.

Repeals 24  
Vic., cap. 36,  
26 Vic., cap.  
5, 30 Vic.,  
cap. 8, (except  
as hereinafter  
excepted) and  
sections 6, 7,  
12 and 13 of  
27 Vic., cap.  
31.

I. Be it therefore enacted by the Lieutenant Governor, Council and Assembly, that from and after the passing of this Act, the several Acts hereinafter mentioned, that is to say : An Act made and passed in the twenty-fourth year of the reign of Her present Majesty, Chapter thirty-six, An Act made and passed in the twenty-sixth year of the same reign, Chapter five, an Act made and passed in the thirtieth year of the same reign, Chapter eight, (except as hereinafter excepted,) and for the purposes hereinafter mentioned, and the sixth, seventh, twelfth and thirteenth sections of the Act of the twenty-seventh Victoria, Chapter thirty-one, shall be and the same are hereby severally and respectively repealed.

Board of  
Education of  
11 persons to  
be appointed,  
including  
Secretary and  
2 persons.

II. From and after the passing of this Act the Lieutenant Governor in Council shall nominate and appoint Eleven fit and proper persons to be and constitute a Board of Education, one of which number shall be appointed by the Lieutenant Governor in Council to be the Secretary of the Board, and two other members thereof shall, in like manner, be appointed as examining members, whose duty it shall be to examine candidates for licenses to teach, under the orders and regulations of the Board, and to attend the meetings of such Board as ordinary members thereof.

Board to  
meet monthly  
and 5 mem-  
bers to be a  
quorum.

III. Five members of the Board shall be a quorum, and the Board shall meet on the last Thursday in each month; and shall give notice of the place and time of every such monthly meeting, by advertizing the same in the *Royal Gazette* newspaper of this Island, at least ten days previous to such meeting, and the said Board may meet on such other and further days as they may deem necessary, from time to time, without such notice being required to be given.

IV. The regular examination meetings of the Board shall be once in every two months, on the last Thursday in the month, commencing with the month of January in each year, and in each case, for the purpose of examination, the Board may adjourn from day to day, and also hold special meetings for the same purpose, as may be arranged or ordered by the Board from time to time.

Examination meetings to be once in 2 months.

Special meetings for same purpose.

V. The Secretary so appointed by the Lieutenant Governor in Council shall be paid the sum of seventy-five pounds for his services and to provide necessary stationery and pay other contingent expenses.

Salary of Secretary.

VI. Each member of the Board shall receive nine pounds yearly for his services, except the two examining members, who shall be paid twenty pounds a year each; the salary of each member to be subject to a deduction of fifteen shillings for every time he shall be absent from any monthly sitting of the Board, without sufficient excuse.

Allowance to members of the Board.

VII. The Lieutenant Governor in Council may, at any time and from time to time, remove or supersede any member or members of the Board, and nominate and appoint a new member or members thereto, instead of the member or members so removed or superseded, and when and so often as any vacancy or vacancies shall occur in such Board, by death or otherwise, the said Lieutenant Governor in Council shall appoint a fit person, or fit persons to fill such vacancy or vacancies.

Lt. Governor may remove members of Board and fill up any vacancies, &c.

VIII. No Schoolmaster or mistress licensed to teach under this Act, or under the said hereby repealed Acts, or any former Law relating to Education, who shall have been, or may or shall hereafter be, absent from this island, or who shall have discontinued the

Teacher who has ceased teaching for two years must again submit to examination.

practice of teaching, or not been employed therein under any agreement to teach under this Act, or any present Act relating to Education, for the space of two consecutive years, shall hereafter be permitted or qualified to teach under this Act, unless he or she shall again appear before the Board and be examined and receive from the Board a new license or certificate to teach.

Candidates for office of teacher to be examined, & if found competent, receive certificate.

IX. Any person who may be a candidate to become a District Teacher or Schoolmaster, or mistress, in this Island, shall, on one of the bi-monthly meetings of the Board, or any other day which the said Board shall appoint, submit himself or herself to an examination before the Examiners of the Board, and if the Board shall, on receiving the report of the Examiners, be satisfied with the qualifications of such candidate, they shall give him or her a certificate of his having passed such examination; provided that no such certificate shall be granted to any person who shall not have produced to the Board a certificate of good moral character, signed by at least two persons of respectability, one of whom shall be a Clergyman or Justice of the Peace, resident in the neighborhood where the applicant may have last resided or usually resides.

Certificate of character, &c., to be produced.

Board on report of School Visitor may require teacher to be re-examined, & if found incompetent, license cancelled.

X. If any School Visitor shall report to the Board of Education that any teacher, licensed to teach under any of the former Acts relating to Education, is unqualified to teach, the Board of Education may, at its discretion, order such teacher to be re-examined before the Board, and upon such re-examination shall grant, or refuse, a certificate or License to teach to such person, and if a new certificate or license as aforesaid be refused to such person by the Board his former certificate or license shall be deemed to be cancelled.

XI. It shall be the duty of the Board of Education, assisted by the Visitors of Schools, if they require it, to prepare suitable forms and regulations for making all returns required by this Act and conducting all necessary proceedings thereunder, and to cause a copy of the same, with such instructions as they shall deem necessary for the guidance of District and other schools, the same not being inconsistent with this Act, as also a copy of this Act, to be furnished to each teacher having an engagement to teach under this Act, which Act and documents shall be at all times kept in each schoolhouse by the teacher, and shall be open to the inspection of the Trustees of such school and all persons by law authorized to visit the same.

Board to ordain forms of returns, &c., for teachers.

Copy of Act, &c., to be kept in school-house.

XII. Upon complaint made to the Board, of gross misconduct or neglect of duty on the part of any person holding a certificate as a District Teacher, the said Board, after due investigation and satisfactory proof of such misconduct or neglect of duty, shall have power to cancel or revoke the certificate held by such District Teacher as aforesaid, and shall also have the same power if any such teacher as aforesaid, having entered into an engagement to teach in any District as hereinafter mentioned, do not complete the whole term of his engagement, unless such teacher be prevented from so doing by sickness or other incapacity, or unless the said engagement be dissolved by order or permission of the Board.

Board empowered in certain cases to cancel teacher's certificate.

XIII. In the event of any dispute between any of the trustees or the inhabitants of any District and the teacher as to his conduct as teacher, the trustees or inhabitants intending to prosecute such complaint, with the view of

Trustees, &c., wishing to remove teacher, to lodge complaint with Board, who



may enquire  
into same

and receive  
evidence.

Board may  
require per-  
sonal attend-  
ance of  
parties,

and if deemed  
necessary re-  
move teacher,  
&c.

removing him from the school, before the expiration of his agreement, shall be obliged to lodge with the Board a written statement of such complaint, and, at the same time, to send a copy thereof to the teacher, and the Board may enquire into such complaint in such way as to them may seem most fit, and the evidence as well on the part of the trustees or inhabitants in support of the charge or complaint, as on the part of the teacher in answer thereto, may be taken by affidavit or written depositions before any Justice of the Peace for the County, to be nominated by the said Board for that purpose, and transmitted to the said Board for their consideration and final decision thereon; provided always that the Board may, if they think fit, require the parties and their witnesses to appear personally before them, in or touching the matter of such investigation, and, on such complaint being established, the said Board may, in their discretion, supersede such teacher, and authorise the Trustees of the District to engage another teacher in his place, although the term of the agreement with the teacher so suspended may not have expired, but such last mentioned teacher shall, nevertheless, be entitled to receive the proportion of his salary up to the time of his dismissal.

Register of  
districts to be  
kept by Secre-  
tary of Board.

XIV. The Secretary of the Board of Education shall, as heretofore, keep a book or register in which, from time to time, shall be entered the several School Districts in this Island, properly constituted and in operation, and having teachers therein entitled to support under this Act, and the inhabitants or teachers of all School Districts claiming support under this Act shall cause the particulars and extent thereof to be forwarded to the Secretary of the Board of Education, who shall enter the same in

rotation, as they come into his office, in the said Book or Register, and all such School Districts erected after this Act shall go into operation shall be entered and registered within three months after the day when the determination of the said Board shall be notified respecting the same, as hereinafter mentioned, and no new School District, in addition to those in existence and established at the time of the passing of this Act, shall be sanctioned by the said Board, nor shall any such new District, or the Teacher therein, be entitled to any allowance under this Act until the same has been referred to the Lieutenant Governor in Council, and the erection of such new District and the granting of such allowance shall have been sanctioned by special order made by the Lieutenant Governor in Council directed to the Board of Education.

Special assent of Lt. Governor in Council essential to establish new School District.

XV. The Board of Education may receive and take to themselves, and their successors in office, in cases where the owners of the lands refuse conveying them to the Trustees of the District, or will not otherwise secure them to the inhabitants of the District, by conveyance deeds and conveyances of the pieces of land whereon the schoolhouses now or hereafter to be erected shall be situate, and shall hold the same in trust for the inhabitants of the District where the same lands are situate for the purposes of Education and of this Act. When and so often as at least two-thirds of the inhabitants, resident house-holders within any School District, now registered or hereafter to become registered under this Act, shall desire to alter the site of the schoolhouse therein, and shall signify such their desire, in writing, to the Board of Education, specifying therein the site to which the schoolhouse is proposed to be removed, and being also accompanied by a written memoran-

Board may receive Conveyances of school sites, &c.

Mode of changing sites of school houses.

dum from the owner or lessee of the contemplated site, offering to execute a deed or lease thereof to the Board of Education, or to the Trustees of such school for the purposes thereof. It shall be lawful for the said Board, if they see fit so to do, to make an order for such alteration to be made when and so soon as the contemplated site shall be conveyed to the Board of Education, or otherwise, in accordance with the last preceding section of this Act.

Board may alter boundaries of School Districts, &c., and change sites of school houses therein.

XVI. The Board of Education, for the time being, with the consent of the administrator of the Government in Council, and without appointing commissioners for that purpose, as hereinafter mentioned, may alter, enlarge or diminish the size or boundaries of any school district or districts now or hereafter established, and also may re-arrange the boundaries and diminish the number of districts where necessary or desirable, and, at the same time, change the site of the schoolhouse or houses therein, so as to meet the altered circumstances of the district or districts, and may make all orders necessary for effecting and perfecting such change of site or other alterations hereinbefore mentioned, and in any case where an application shall be made in writing to the Board, signed by at least ten inhabitants, householders, in any such district or districts in which any such alteration or re-arrangement is proposed to be made, requesting such alteration or re-arrangement, so as to render such district or districts more suited to the convenience of the respective inhabitants therein, it shall be lawful for the Board, in their discretion, if they deem it necessary, to nominate and appoint three competent persons, not resident in the district or districts respecting which the application may have been so made, to examine into the particulars, and such persons so ap-

Board may appoint 3 persons to enquire into and report on proposed alterations, &c.

pointed as aforesaid, after notice of their intention so to do shall have been posted for at least six days previous on the schoolhouse in the district, or if the application shall concern more than one district, then on the respective schoolhouses in the several districts in question, shall attend at such time and place in such district, or either of such districts as shall in such notice be specified, and shall personally then and there proceed to make enquiry in such manner and to such extent as they, or a majority of them, shall deem requisite, and if they should be of opinion that the interest or convenience of the inhabitants would be promoted by an alteration in the boundaries of such district or districts respectively, or should deem it expedient that such districts should be merged into one, or otherwise re-arranged, they shall fix and decide upon the manner or define the extent of such alteration, and shall thereupon report such their opinion and determination under their hands, or the hands of a majority of them, to the said Board, whose order or decision thereon, when sanctioned by the Administrator of the Government in Council, shall be final and conclusive, and, upon such order of the Board being so confirmed, the same shall be duly notified to the inhabitants of the district or districts respectively, regarding the boundaries or extent of the alterations respecting which such determination shall have been made, by letter addressed and mailed in the General Post Office, in Charlottetown, by the Secretary of the Board of Education, to one of the Trustees of any district so altered, or wherein the site of any schoolhouse shall be changed.

XVII. Every person who shall be appointed for the purpose in the last preceding clause

Fees of Commissioner.

To be paid on  
certificate of  
Board.

mentioned, shall receive from the public Treasury eight-pence per mile for every mile necessarily travelled by him for the purposes therein mentioned, and also the sum of ten shillings collectively for the report in writing and transmitting the same to the Board, the same to be paid on producing a voucher and certificate thereof, signed by the Secretary and three members of the Board, who shall therein state that the application on which the commission has been issued was reasonable, and if otherwise then the expenses shall be borne by the applicants.

When site of  
schoolhouse  
altered, Trus-  
tees may re-  
move building  
unless, &c.

XVIII. In all cases where the site of a schoolhouse, within any established district, is or has been legally altered under the provisions of this Act, or any present or former law relating to Education, and such schoolhouse is situated upon land held under lease, deed or otherwise, the Trustees of such school district shall be and they are hereby authorised and empowered to remove the schoolhouse or building from its former site, unless there be a special clause in such lease or other instrument prohibiting such removal.

All School  
Districts for-  
merly regis-  
tered confirm-  
ed, notwith-  
standing want  
of form, &c.

XIX. All school districts as now registered by the Board of Education are hereby declared to be established and confirmed as school districts, and shall be entitled to all the rights and benefits conferred upon or belonging to school districts to be established by this Act, notwithstanding any want of form or any error or irregularity whatsoever in the mode of making any original application for the laying off, defining or establishing of any such districts, or in any other proceeding act, matter or thing necessary to be had, done or performed under this Act, or any former Law relating to Edu-

cation, prior to or in respect of any such registration whatsoever, and a certificate of any such registry as aforesaid, or of any school district hereafter to be registered under or pursuant to this Act, granted under the hands of a majority of the Board of Education, or under the hand of the Secretary of the Board for the time being, shall be evidence sufficient and conclusive of the establishment and boundaries of such district respectively, in all actions, suits or other proceedings in any Court of Law or equity, or before any Court or tribunal whatsoever, in all matters touching or relating to such school district or the school therein, or where it may be necessary to prove the establishment and boundaries of such district.

Certificate of Registry signed by Secretary, &c., to be conclusive evidence of establishment of school house, &c., of district.

XX. If any school in a district established by the Laws heretofore enforced and claiming maintainance under this Act shall be nearer to any other school established, or to be established, than three miles, and it shall appear to the Board of Education, either from the paucity in the number of scholars attending the same, or either of them, or other local circumstances, that both the said schools should not receive such maintenance at the same time, or if a dispute should arise between the inhabitants of such districts as to which is entitled to maintenance, or most entitled to receive the same, and an application shall be made in writing to the Board of Education, signed by at least five inhabitants, householders, in such district, or either of them, to have the dispute decided, then, and in either of such cases, it shall be lawful for the Board of Education, if it think the circumstances of the case require it, to nominate and appoint three persons, being Justices of the Peace or Commissioners for the

Mode of proceeding where schools are within 3 miles, and scholars insufficient in number.

Disputes, how settled.

Recovery of Small Debts, resident near to, but not being resident or interested in either of the districts, to examine into the particulars, and such Justices or Commissioners, after notice of their intention so to do shall have been duly posted, for at least six days previous, on each of the schoolhouses, shall attend at such time and place in either of the said districts, as shall in such notice be specified, and shall personally then and there proceed to make enquiry in such manner and to such extent as they, or a majority of them, shall deem requisite, and shall thereupon fix and determine which of the said schools in the districts in dispute is most entitled to maintenance, and if they think that either of the schoolhouses should be removed to any particular site so as to form a new district entitled to maintenance, they shall fix upon the same and report such their opinion and determination under their hands, or the hands of a majority of them, to the Board of Education, whose decision thereon shall be conclusive, and the said Board of Education shall be and they are hereby empowered to withhold or suspend the maintenance claimed by such schools, or either of them, and either entirely or until such time as the schoolhouse shall have been removed in accordance with the opinion or recommendation contained in the report of the Justices or Commissioners, or to make such other order therein as to the said Board shall seem meet, and such order and determination of the Board of Education shall be duly notified to the inhabitants of the District in dispute, in manner as pointed out in the sixteenth section of this Act.

Schoolhouse may be removed in order to form new District.

Board empowered to suspend maintenance, &c., in certain cases.

Mileage to be allowed to Justices, &c.,

XXI. Each Justice of the Peace or Commissioner of Small Debts nominated and appointed for the purpose in the last preceding section

mentioned, shall be entitled to receive from the Treasury of this Island the sum of eight-pence per mile for each mile necessarily travelled by him to and throughout such School District and also the sum of ten shillings collectively for the report in writing and for transmitting the same to the Board, the same to be paid on producing a voucher or certificate therefor, signed by the Secretary and three members of the Board.

under pre-  
ceding sec-  
tion.

XXII. When and so often, after the passing of this Act, as the inhabitants of any Settlement, Township or District shall desire the erection of a new school district near to their places of residence, and when not less than five such inhabitants, being householders, shall make request in writing intimating such their desire to the Board of Education, then it shall be the duty of the Board of Education to nominate and appoint a Justice of the Peace or Commissioner of Small Debts, residing near to, but not being a party interested in such proposed district, to examine into the same, and it shall be the duty of such Justice or Commissioner, after notice of his intention for such purpose having been duly posted for six days, in three of the most public places in the settlement or district where such inhabitants reside, to attend at the place in each district named in the notice, and there personally to make such enquiry in such manner and to such extent as by him shall be deemed requisite, and thereupon to fix and determine upon the most proper and eligible site or sites for such schoolhouse, or schoolhouses, and the proper limits and boundaries of the district or districts thereof, and shall report such his opinion and determination, in writing, under his hand, to the said Board of Education, whose decision thereon shall be conclusive, and if the said

Mode of pro-  
ceeding to es-  
tablish new  
School Dis-  
tricts and sites  
for school  
houses.



Board shall approve of the erection of any such school district and the special order and sanction of the Lieutenant Governor in Council for that purpose, as hereinbefore required in such cases, can be obtained they shall notify the same to the said inhabitants, and, on the other requisites for school districts being complied with, shall cause the said district to be registered in the Book to be kept by the Secretary, as hereinbefore mentioned, and the Justice of the Peace or Commissioner of Small Debts shall be entitled to the same fees as in the twenty-first section of this Act mentioned.

Allowance to districts requiring assistance to build school houses.

XXIII. When any new School District shall be hereafter applied for and erected, and the School Visitor for the County wherein the said district is situated shall certify that the inhabitants thereof are in poor circumstances and require pecuniary assistance to enable them to build a schoolhouse therein, then it shall be lawful for the Lieutenant Governor in Council to grant the sum of five pounds to the trustees of such district to be expended in erecting such schoolhouse.

Dimensions of school house.

XXIV. Every schoolhouse hereafter to be erected and used as such, within any district now or hereafter established under this Act, and not already contracted to be built, shall not be less in clear area than four hundred square feet, nor in the height of post than ten feet clear between the floor and ceiling, or be built nearer to the highway than ten yards.

School house erected on Church grounds, how to obtain benefits of this Act.

XXV. In all cases where a schoolhouse is now or shall hereafter be erected on Church grounds, and the trustees or managers of such Church property are desirous of obtaining the benefits of this Act, and of having such school

established as a district school, a lease of such schoolhouse shall be given by the parties in whom such property is vested, or who shall have the legal controul over the same, to the Board of Education, for the time being, to hold to them and their successors in office for such term as may be required for the purposes of this Act, or as may be agreed upon in that behalf.

XXVI. The public schoolhouse in every district established or regulated under this or any former Act relating to Education may, with the consent of the majority of the trustees thereof, be used by the licensed teacher thereof for the purpose of teaching night or evening classes therein, for his or her own benefit, and such schoolhouse may be used as a place of worship, or for any other lawful public meeting, with the consent of the trustees, as aforesaid, and at such time as they may appoint; provided always, that in no case shall it interfere with the duties of such licensed teacher, and provided further, that the Board of Education shall have full power to prevent any such public schoolhouse being used at any time during the regular school hours in each day for any other purpose, or by any other person than such licensed teacher, for teaching a public school therein under this Act.

School house may, with assent of majority of Trustees, be used by master for night classes.

XXVII. The average number of scholars for daily attendance at district schools shall hereafter be in the following proportion to the number of children, between the ages of five and sixteen years, in such districts respectively, that is to say, in districts where there are forty children and upwards, but less than fifty within the ages aforesaid the average number of scholars for daily attendance shall be twenty. In districts where there is the number of fifty

Average number of scholars in daily attendance to be 20, where children number 40.

Where  
average to be  
25.

Where 30.

Reduction of  
teacher's sa-  
lary for de-  
ficiency.

How reduc-  
tion to be  
made up by  
parents, &c.

children, and less than sixty within the ages aforesaid the average daily attendance, shall be twenty-five scholars, and in districts where there are sixty children and upwards the average daily attendance at the school therein shall be thirty, and in all cases where the average daily attendance of scholars at such schools shall hereafter be found to be less than the numbers herein before prescribed for such schools, respectively the salary allowed by this Act, to the Teachers of such schools shall be reduced ; such reduction to bear the same proportion to the number of scholars deficient of, or less than the aforesaid averages respectively, as the said Teacher's salary bears to such average, which said average shall be reckoned half yearly, and all parents of children within the bounds of such district, shall be liable to make up and contribute towards such deficiency in proportion to the number of children within the said ages, which such parents may have respectively, and in default of such contribution, after the same shall have been duly demanded, the said amount so to be deducted from the said salary shall be raised by an assessment to be levied by the Trustees, on the parents or guardians of all children in the said school district ; such assessment to be apportioned as to them, or a majority of them, shall, under the circumstances of the case, and due regard being had to the means of the various parties, appear just and reasonable, and to be levied, raised, and recovered, in such manner, and subject to such rules, conditions, and regulations, as are prescribed for levying or recovering assessment by this Act.

No school-  
master en-  
titled to  
allowance un-  
less school

XXVIII. No Schoolmaster or Teacher shall be entitled to any allowance by virtue of this Act, unless the inhabitants of his, or her school district shall have first provided a sufficient

schoolhouse to be exclusively used for that purpose, (except as in this Act provided) and also that there have been at the least forty children between the ages of five and sixteen, resident within his or her school district for the six months immediately preceding the period of his or her claiming his allowance, and that the average daily attendance of scholars during the said six months, shall not have been less than twenty. Provided always that this provision shall not extend to school districts now or hereafter to be registered under this Act, in which there shall not be the number of forty scholars within the aforesaid ages residing, if the daily average attendance of such children at the School therein amount to twenty.

house be first provided.

Proviso.

XXIX. And whereas there are certain settlements in this Island not included within the limits of school districts heretofore established, and where the requisite number of forty children, within the ages of five and sixteen, cannot be found within one and a half miles of a central part, then and in every such case on a written requisition made by the inhabitants thereof, to the Visitor of schools for the County wherein the said settlement is situate, it shall be the duty of the said Visitor, to enquire into the circumstances of such application, and as to the number of children within the ages aforesaid within the said limit, and the said Visitor shall make a report in writing to the Board, who having duly considered the circumstances of the case, may if they think proper so to do, and subject to the approval of the Lieutenant Governor in Council, authorise the erection of such settlement into a minor school district, and the registration thereof as such, and building committees and trustees may thereupon be appointed for such minor dis-

Provision for settlements where 40 children cannot be found.

Board, on report of Visitor, may establish minor District,

To be registered, &c., as other Districts.

trict in the same manner as in other cases, and such trustees may be annually elected, and shall have the same powers as trustees in those districts where the requisite number of forty scholars can be found, and the teacher engaged to teach in such minor district where the number of scholars is less than forty, shall also be subject to the same rules and regulations as in cases where there are forty scholars, and shall be entitled to receive from the Treasury of this Island, on production of certificates signed as in other cases under this Act by the Trustees of the District and the Secretary of the Board of Education, if such Teacher be a male, the sum of thirty shillings per annum for each scholar taught by him, calculating the same according to the daily average attendance, as shown by his Register or Journal; and if a female teacher, the sum of twenty shillings per annum for each scholar taught by her in like manner; such certificate to state the number of scholars actually taught according to such daily average.

Teacher to receive thirty shillings for each scholar.

Qualification of Teachers.

1st class.

2nd class.

XXX. There shall be only two classes of district school teachers or masters, exclusive of Grammar School Masters, who shall be licensed to teach in this Island, of whom the first or lowest class shall be competent to teach book-keeping, English Grammar, Reading, Arithmetic, and Geography, without the use of the Globes; and of whom the second or highest class shall, in addition thereto, be competent to teach Algebra, Geometry, Trigonometry, Mensuration, Land Surveying, Navigation, and Geography, with the use of the Globes; and candidates for either class shall prove their capability to teach to the satisfaction of the Board of Education, who shall in their discretion grant a certificate or license to any such candidate.

XXXI. All schools claiming allowance to Teachers therein under this Act, wherein the books, regulations, and system of Education prescribed, or to be prescribed by the School Visitor for the County where the same are situate, or the Board of Education shall not be observed and adopted, shall, if the said Board shall see fit and make an order to that effect, be refused or deprived of such allowance until such time as such books, regulations, and system of Education shall be observed and adopted.

School allowance may be withheld until prescribed regulations are observed, &c.

XXXII. All Teachers while conforming to the provisions of this Act, shall be exempt from Statute Labor and Militia duty, and attending on Juries and Assessment for Educational purposes under this Act.

Exempts teacher from statute labor, &c.

XXXIII. Any Teacher under the age of twenty-one years, shall not be permitted to enter into an engagement with the Trustees of the school district in which he may have been brought up, without first obtaining the consent of the Board of Education thereto.

Teachers under 21 years of age, where allowed.

XXXIV. No Teacher while receiving pay under this Act, shall be allowed to embark in any mercantile pursuit, or follow the occupation of a Tavern Keeper.

Teacher not to embark in mercantile pursuits, &c.

XXXV. When any child shall not reside within any school district, the school of which is not in operation, such child shall be entitled to attend at the nearest school district the Teacher whereof shall be receiving pay under this Act, and such Teacher shall be bound to receive and instruct every such child, unless the number of children already in attendance at his school shall exceed fifty.

Child not in any District may go to nearest school.

Expulsion of scholars when authorized.

XXXVI. The Trustees of any school constituted or regulated under this Act, or under any former Act relating to Education, shall have and be vested with full power and authority to expel any scholar for gross misconduct or misbehaviour.

All children over 5 and not exceeding 17, may attend.

XXXVII. All males and females over five years, and not exceeding seventeen years of age, residing in any school district in this Island, shall be entitled to attend the school therein the Teacher whereof shall receive pay under this Act, and the said Teacher shall be bound to receive and instruct all such children.

Number of vacations in each year.

XXXVIII. In all cases the vacation of each school constituted and regulated under this Act or now in operation, excepting always the schools in Charlottetown and Georgetown, shall be two in number in each year, that is to say a spring vacation extending from the tenth day of May to the thirty-first day of the same month, and an autumnal vacation of twenty-one days, to take place in the month of October, and which shall be fixed by the respective Trustees of the several schools, and no deduction shall be made from the salary of the Teacher, nor any time added to the period of his service on account of such vacations being allowed, and every alternate Saturday shall be allowed as a holiday to the Teacher in each district school.

Inhabitants of a District to appoint Trustees.

XXXIX. The inhabitants of any school district within this Island, who shall have provided a school-house therein, in conformity with all the provisions of this Act, shall, and they are hereby required to nominate and appoint five Trustees, such nomination and appointment to take place at a meeting of the inhabitants of such district, called by a written

or printed notice, signed by at least three resident householders within said school district, and posted in at least three of the most public places within the same seven days prior to such meeting, which notice may be in the form of the Schedule to this Act annexed, marked (D), and a majority consisting of at least nine persons, of the resident householders present at such meeting, shall be competent to appoint such Trustees, and it shall be the duty of such Trustees, three of whom shall be a quorum, to examine the school of said district quarterly in each year, and at all times in conjunction with the Visitor of schools for the County, to inquire into the order and direct the discipline and regulations of such school, and also to give any licensed Teacher who has had the management thereof, the necessary certificates required by this Act; and it shall be the further duty of such Trustees to forward a notice of their appointment immediately after such appointment to the Board of Education, provided always that where the appointment of the Trustees of the school in any school district, shall have been made under and by virtue of the laws heretofore in force, relating to Education, and such Trustees shall be in office at the passing of this Act. They shall continue and be held to be the Trustees of such school, under and for the purposes of this Act.

Duties of  
Trustees.

Trustees in  
office at pass-  
ing of Act  
confirmed.

**XL.** In order to obviate the necessity and consequent expense of a more formal proof of the calling of any meeting, for the appointment of Trustees under this Act, or any former Act relating to Education, an affidavit of the posting of notices for the calling of such meeting, shall in all cases of the appointment of Trustees which shall hereafter take place, be made by the person posting such notices, or other person who can prove the fact of the several notices having

Mode of  
proving pro-  
ceedings to  
elect trustees,  
&c., pointed  
out and sim-  
plified.



Schedule E.

been duly posted before any Justice of the Peace, for the County wherein the School District is situate; which affidavit shall be in the form, or to the effect, prescribed in Schedule (E), to this Act annexed, and shall be affixed to the Register or books of record kept by the Trustees of the school therein; and a copy of such affidavit, certified by any two of the Trustees of said school for the time being, shall be *prima facie* evidence in any Court of Law or Equity, or before any court or tribunal, or persons whatsoever of due notice of such meeting having been given.

Trustees may assess householders, being parents or guardians of children, for books, maps and fuel.

Power to apportion assessment.

XLI. In each school district now erected, or hereafter to be constituted by virtue of this Act, a majority of the Trustees thereof shall have power to assess all the inhabitants, householders, resident therein, who shall have a child or children within the ages of five and seventeen years of his own, or under his care and guardianship, and who shall have been so resident for six months previous to the making of the assessment; and no other person or persons whomsoever, in a sum to provide the necessary books and maps directed to be found by the School Visitor, and the fuel required therein, and such Trustees as aforesaid, or the majority thereof, are hereby empowered to apportion the said assessment between such resident householders, according to the number of children within the ages aforesaid respectively, belonging to them. The assessment upon each parent to be increased in proportion to the number of his or her children within such ages; and such assessment shall be recoverable with costs as hereinafter, in the forty-ninth section of this Act directed. And when recovered shall be applied for the purposes for which the same shall have been levied.

**XLII.** The Trustees of any District School, or a majority of them, shall have power to order books or maps to be provided for the use of such schools; and shall have power to assess the resident householders having children, as in the last preceeding section mentioned within the said district, for the cost of such books and maps; and which assessment shall be recoverable with costs, in the manner pointed out by the forty-ninth section of this Act.

School books or maps may be ordered by Trustees.

**XLIII.** No parent or guardian, or other person, shall be liable or required to pay any sum or amount, per head or otherwise, for or on account of any child attending any school, the Teacher whereof shall receive pay under the authority of this Act, provided always that nothing herein contained shall extend or be construed to extend, to prevent the inhabitants, or any one or more of the inhabitants of any school district in this Island from voluntarily subscribing any sum or sums of money whatsoever, towards the pay or support of the Teacher of the school therein, in addition to the allowance to which such teacher may be entitled under this Act. And in all cases where any such voluntary subscription may be entered into, and signed by any inhabitant or inhabitants as aforesaid, either as an inducement to any efficient master to take charge of a school, or for any other reason whatsoever. The Master or Teacher of the said school shall be entitled to demand and receive from the person or persons respectively, signing the same, the amount of his or their respective subscriptions, in accordance with the terms thereof; and in default of payment, such teacher shall be entitled to sue for the same, in manner by law provided for the recovery of small debts.

No sum to be paid by parents, &c., for children going to school hereunder.

Proviso.

Voluntary subscription to support of Teacher.

Master, &c., may enforce payment of voluntary subscriptions.

**XLIV.** Two of the Trustees of every school appointed by virtue of the Laws heretofore in

Two Trustees to go out in rotation an-

nually, and  
two others to  
be elected in  
their stead.

force, or hereafter to be appointed by virtue of this Act, shall, in rotation, go out of office in the month of July in each year, commencing with the two members first nominated and appointed. And the inhabitants, resident householders in such District, wherein is the school to which they shall be appointed trustees, at a meeting to be held on any day in the month of July, yearly; and to be called by the Trustees of said school after notice thereof given in the manner provided by the thirty-ninth section of this Act, shall elect two new Trustees in their stead, having the like power and authority; and until such election shall be had, the two retiring Trustees shall remain in office, provided, nevertheless, that if the said inhabitants think fit, they may re-appoint, at the bottom of the list, such Trustees going out by rotation, and immediately after such election or re-election. And whether new appointments be made or not, the Trustees of said school shall notify the proceedings to the Secretary of the Board of Education.

Vacancies in  
board of Trustees,  
by death,  
absence, &c.,  
how filled up.

XLV. In the event of any vacancy or vacancies occurring from time to time, in any Board of Trustees for any school district, appointed or elected by virtue of the laws heretofore in force, or hereafter to be appointed or elected under this Act, by reason of the death, absence, or refusal to act, of any Trustee or Trustees after his or their appointment or election. The inhabitants, householders of such district, are hereby empowered to proceed to call a meeting in the same manner as provided for the first or annual meeting of Trustees, and to choose or elect one or more person or persons to supply such vacancy or vacancies. And the Trustee or Trustees so chosen or elected, during the currency of any year, shall have the same

power in all respects, as if he or they had been elected at the commencement of the year, or at the last previous general election of Trustees.

XLVI. In the event of any disputes or doubts arising or existing as to the legal election or resignation of any School Trustee or Trustees, or the right of any person or persons to assume the office or exercise the duties of Trustee or Trustees of such school, the Board of Education are hereby authorized and empowered to inquire into and determine the same, and, if they deem it advisable, on any account, to order a new election of the whole, or any less number, of the said Trustees, and, for the better ascertaining of the truth in such case, to require the personal attendance before the said Board, and to examine, on oath, any witness or witnesses whose evidence may be deemed necessary on such enquiry, and any witness who shall refuse to attend so to be examined, after his reasonable expenses for doing so shall have been tendered to him, shall be liable to pay to the party complaining a fine of not more than five pounds, nor less than one pound, the same to be recovered, with costs, in such manner as debts under the Act relating to Small Debts are now recovered.

In cases of doubt, &c., Board may order new election of Trustees.

Examine  
dence, &c.

XLVII. In case the said Board shall order a new election of Trustees, a day, hour and place shall be named in such order for that purpose, and a copy thereof shall be posted on the schoolhouse of the District, at least six days before the day so named, and the inhabitants, who shall thereupon assemble, shall then and there elect the necessary number of Trustees, who, on being confirmed by the Board of Education, shall be deemed to be in office until the first day of July next, after the date

Time and manner of holding new election of Trustees.

of such election, or until some new election duly authorized shall take place.

Proof of appointment of Trustees, how made.

XLVIII. In all cases when it may be necessary to prove the appointment of Trustees appointed by virtue of the Laws heretofore in force, or hereafter to be appointed by virtue of this Act, in any Court of Law or Equity, or before any Court, tribunal, or persons whatsoever, a certificate stating the facts of such appointment, signed by the Secretary of the Board of Education, shall be good and sufficient *prima facie* evidence of such appointment in all matters and questions touching the School District or the School, respecting which such appointment shall have been made, or in any manner in which such appointments shall come in question.

Board of Trustees to keep record of proceedings.

XLIX. Every Board of Trustees of School Districts, appointed under, or by virtue of the Laws heretofore in force, or to be appointed under this Act, shall keep a book or record in which their proceedings shall be entered, and the minutes of each appointment hereafter to be made of Trustees in any District after their election as aforesaid, and their names shall be entered and signed by the chairman of the meeting of inhabitants at which such Trustees shall have been elected. In such book or record, which shall afterwards be so kept by the Trustees as aforesaid, and when so signed, such appointment shall be held and be deemed to be good and valid, and minutes of future meetings and proceedings, elections and re-elections, shall be entered therein signed by any three of the Trustees for the time being, and the particulars of all assessments made by any such Trustees, shall be also duly entered and signed by any three of them, and the said book or register shall be open to the inspection of all

resident householders of the District, and the School Visitor of the County, and if any such assessment shall not be paid by any party liable to pay the same within ten days after a demand thereof made upon, or at the residence of the debtor, by one of the Trustees, or some party authorized by a majority of said Trustees in writing, to collect the same, and produced to the debtor, then and in every such case, the said Trustees or any one or more of them, or such other person as the majority of them may appoint, and in the name of any one or more of the said Trustees, may sue the debtor before any Court for the recovery of small debts, or Justice of the Peace, by summons or otherwise, under such regulations as may at the time be by law prescribed for the recovery of small debts. And it shall be lawful at the hearing of such cases for the defendant, if he shall see fit, to plead the inequality of the rate, provided he give notice of his intention so to do in writing, to the Trustee or Trustees, or other person in whose name the summons shall have been taken out, within twenty-four hours after the serving of the same; and if he shall so plead, then it shall be lawful for the said Court for the recovery of small debts, or Justice of the Peace before whom the summons shall be returnable, to hear such evidence as may be adduced by either party, and to vary the amount of rate, and make an order for such amount of payment as justice may require. Provided nevertheless, that if the defendant making such plea, shall have at any time theretofore acquiesced in the justice or equality of such rate, by having on occasion of any former assessment, paid his proportion or quota thereto, or any part thereof at a similar rate or proportion, then such Small Debt Court or Justice of the Peace, shall not permit the same to be heard, or any evidence connected

Mode of recovering assessment, &c.

Inequality of assessment, how pleaded, &c.

therewith to be adduced, but shall order the reasonable costs incurred by the plaintiff or plaintiffs, to be paid by the defendant.

Book kept by  
Trustees to be  
*prima facie*  
evidence, &c.,  
of matters  
therein re-  
corded.

L. The book or record to be kept by the Trustees of the several school districts constituted under the several laws heretofore in force,—or this act—and signed by the persons and in manner mentioned, and set forth in the last preceding section, shall be good and *prima facie* evidence of the truth of all statements, minutes, matters, and things therein contained and set forth in any Court of Law or Equity, or before any Court tribunal, or persons whatsoever, whether such statements, minutes, matters, or things, shall relate to meetings of the inhabitants, the appointment or election of Trustees, or re-elections thereof; assessments upon the Inhabitants, or other proceedings whatsoever of such Trustees, and of the regularity and correctness of all acts, matters and things relating to, or connected with such proceedings so entered, and set forth in such book or record.

Trustees may  
assess house-  
holders to  
build or repair  
Schoolhouse,  
or procure  
furniture.

LI. Where the erection of a new School District shall be sanctioned, by order of the Administrator of the Government in Council under this Act, or in any School District already established, if the majority of the inhabitants, resident householders therein, respectively, shall decide upon erecting a new Schoolhouse within the same, or enlarging or completing any Schoolhouse already erected, or re-building or repairing the same when decayed, or procuring furniture for the Schoolhouse, it shall be lawful for such majority of resident householders, to meet together and appoint a committee of five persons. If in a newly erected district, or if in a previously established district, to make an order to give directions to the Trustees of such Dis-

strict for the time being, to assess the several resident householders within the same, respectively, for the erection of such Schoolhouse, or for enlarging, completing, re-building, or repairing the same, as aforesaid, or for procuring furniture for the Schoolhouse, as the case may be, and to superintend the same; and which Schoolhouse, as to size, shall be in conformity with, and not of less dimensions than those prescribed by the provisions of this Act; but may be larger if a majority of said resident householders shall so order at such meeting, and a plan and specification of such Schoolhouse, so to be erected, or of the contemplated enlargement, manner of completing, re-building or repairing the same, or of the furniture required, having been submitted to, and approved of by a majority of such resident householders, the said committee or Trustees, as the case may be, shall thereupon have full power to make such assessments as aforesaid, for any of the purposes above mentioned; due regard being had in apportioning the amount of assessment to be paid by each resident householder under this section, to his or her circumstances and means, and the benefit to be received by him or her from the same.

Plan. &c., of proposed Schoolhouse, to be first submitted to meeting, &c.

LII. In the event of any one of such resident householders in any such District as aforesaid, refusing to pay the amount for which he shall be so assessed, within fifteen days after the same shall be demanded of him or her, by or on behalf of such committee or Trustees, respectively, as aforesaid, or after a memorandum of the amount of such assessment signed by a majority of said committee, or Trustees, as the case may be, or a copy thereof shall be left at the dwelling-house of such inhabitant, it shall be lawful for the said committee or Trustees, or any one or more of them, respectively, in the name of the whole, to sue for, and prosecute the debt-

Committee or Trustees empowered to levy and sue for assessment, &c.



or before any Court for the recovery of Small Debts, or Justice of the Peace, by summons or otherwise, under such regulations as are by law prescribed for the recovery of Small Debts ; and it shall be lawful at the hearing of any such case, for the defendant to plead the inequality or excessive amount of the rate, provided he or she gives notice of his or her intention to do so in writing, to such committee or Trustees aforesaid, as the case may be, or to one or more of them in whose name or names the summons shall have been taken out, within forty-eight hours after the serving of the same, and if he or she shall so plead, then it shall be lawful for the said Court, before which the summons shall be returnable, to hear such evidence as may be adduced by either party, and to vary the amount of the rate, and make an order for such amount of payment as justice may require.

Clergymen,  
Judges, &c.,  
may visit pub-  
lic Schools,  
&c.

LIII. All Clergymen, Judges, Magistrates, and members of the Legislature, shall have power to visit any public school under this Act, and to inquire into the management thereof, or any other object connected with its prosperity ; and may note down in a Visitor's Book, which shall be kept by every Teacher, for that purpose, any omission observed in any department, or other remarks relating to the School.

Teacher to  
keep a register  
open to in-  
spection of  
Visitor, &c.

LIIV. Every Licensed Teacher shall hereafter keep a Register Journal of his School, which shall be kept in the Schoolhouse (until sent in as hereinafter mentioned) containing the names and ages, with notes of the progress and attendance of the pupils ; and the said Journal shall at all times be open to the inspection of the School Visitor of the County, and Trustees of said School, and other persons authorized to visit the same, as in the last preceding section mentioned, and also of any member of the Board

of Education, who may visit such School, and such Journal shall at the termination of the Teacher's engagement, be by him or her forwarded to the Secretary of the Board of Education.

LV. Where any Schoolhouse within the meaning of this Act, or any former law relating to Education, has been, or shall hereafter be erected on any site or piece of ground, with the consent of the owner, occupier, or tenant of such land; and such site and Schoolhouse have also been recognized by the Board of Education, as the legal site and Schoolhouse for the District, wherein the same are situate. Then and in such case, it shall be illegal for the original owner, tenant or occupant of such land, or any person or persons in trust for such owner, tenant or occupant, by deed or otherwise, whether registered or unregistered, in any manner to interfere with such site or Schoolhouse thereon erected, or to prevent the free and peaceable possession and use thereof, and access thereto and thereover by, or to the Trustees, Masters, or Children, or the Inhabitants of the District or Board of Education, or others, for the purposes of education, unless such interference shall be expressly sanctioned by the terms of any Deed, Lease, or agreement given by the owner, tenant, or occupant, or person entitled to the land, on which the Schoolhouse is, or shall be erected, and any conveyance or deed of the site, heretofore made, or hereafter to be made, shall be ineffectual to pass any estate therein, so as to enable the grantee, or re-lease, or person to whom it is or shall be conveyed, to interfere with such site or Schoolhouse thereon, or any of the aforesaid parties in the free and peaceable use, occupation, and possession of the same as aforesaid.

Where a Schoolhouse has been built and re-organized by Board of Education, it shall be illegal for original owners, &c., to interfere with the same, &c.

LVI. From and after the passing of this Act, the number of male District Schools for Char-

Number of male Schools

in Charlotte-  
town and  
Royalty.

Householders  
to elect Trus-  
tees.

lottetown and the Common and Royalty thereof shall not exceed nine, and it shall be the duty of the resident householders within such districts respectively, having children under the age of seventeen years, to meet together, from time to time, as the necessity shall arise, for the purpose of electing Trustees, in the same manner, in all respects, as is provided by this Act for the election and re-election of Trustees for the ordinary School Districts.

Board may  
divide Char-  
lottetown and  
Royalty into  
Districts, and  
re-arrange the  
same when  
necessary.

LVII. The Board of Education shall have power, from time to time, when they shall deem expedient, to divide the City of Charlottetown, and the Common and Royalty thereof, into School Districts, the whole not to exceed the number of nine, including those now established, and to alter such division from time to time, and re-arrange such districts as occasion may require, and such division or alterations shall be notified by advertisement in the *Royal Gazette* newspaper, from time to time, immediately after the same shall have been made. Provided always, nevertheless, that, until any new division or alteration be made and announced, the districts as now constituted and in operation shall continue and be in force.

Old Districts  
confirmed  
until altera-  
tion, &c.

Three Teach-  
ers of highest  
class in Char-  
lottetown.

LVIII. There shall be allowed in Charlotte-town, and the Common and Royalty thereof, not more than three masters of the highest or second class, who shall be assigned by the Board of Education to such Districts (with the consent of the Trustees thereof,) within the said City, as they may deem advisable, having a regard to the ages and state of proficiency of the children in the several districts, and giving preference to the districts in which shall reside those most advanced or proficient, and for each of the other districts in the said City, Common and Royalty, there shall be employed a master or teacher of

the first or lowest class; provided always, that, if the inhabitants of any one of said districts, instead of sending their children to the school in their own district, if such shall be in operation, shall send them to the school in any other district of the Town, Common or Royalty, they may do so, unless the children at such last mentioned school shall exceed sixty in number, in which case, upon a representation made by the Trustees of such last mentioned school, or other persons interested therein, or who shall desire to send their children thereto, of the necessity of having an additional master or teacher, as an assistant therein, it shall be competent for the Board of Education to inquire into the matter, and, if they see fit so to do, to appoint an additional master or teacher, of either class, as an assistant Teacher in such school; provided further, that the Board shall not have power to appoint such assistant master or teacher if the number of masters and assistants in Charlottetown, Common and Royalty then actually engaged and receiving Government pay, exclusive of the masters and teachers of the Normal Female Schools, shall amount to twelve; provided further, that no teacher in Charlottetown, under this Act, shall be entitled to a salary unless he or she shall have taught at least thirty scholars, and shall produce certificates to that effect.

Proviso.

Board, where number of scholars require it, may appoint assistant under certain limitations, &c.

No Teacher in Charlottetown to draw salary unless he shall have taught thirty scholars.

LIX. The scholars receiving instruction in Charlottetown, and the Common and Royalty thereof, at any of the schools therein receiving support from the Government, shall pay, at the time of their first admission into said schools, and thereafter quarterly, in advance, each the sum of one shilling and six-pence, to be collected by the Teacher of each school and paid over, if a District School, to the Trustees thereof, and if

Amount to be paid for scholars, in Charlottetown Schools to procure fuel, &c.

a Female School, to the Secretary of the Board of Education, and to be applied by such Trustees, as the Secretary of the said Board, respectively, to the purchasing of fuel and the payment of rent, and the cost of repairs of such schoolhouses, and other necessary purposes, and if such Trustees, or the Board of Education, respectively, shall find that the said quarterly payment is not sufficient in amount for the purchase of fuel and other purposes as aforesaid, then the said Trustees, or Board of Education, respectively, may order and require a further payment to be made by each scholar, not exceeding, however, in any case, the sum of three shillings quarterly, in addition to the first mentioned quarterly payment of one shilling and six-pence, and if the said sums, or either of them, be not paid, the scholars in default shall be debarred from further instruction until the same is paid, and the same shall be recovered by the Teacher, in the name of any one or more of the Trustees, or of the Secretary of the Board of Education respectively, before the Court of Commissioners for the recovery of Small Debts, in Charlottetown, from the parents or guardians of the children so in default; provided always, that it shall be the duty of the Board of Education, from time to time, to inspect the rooms in which the various schools receiving support under this Act, in Charlottetown, shall be conducted or placed, and if they shall find the accommodation afforded, in any case, insufficient for the number of children taught, or the condition or position of the school-house or room otherwise objectionable, on the score of situation, ventilation or otherwise, the Board shall be authorized to order the school to be removed to some other house or room which they may be able to secure, and shall think more fitting for the purpose, and the quarterly fees in such case shall be paid by the Teacher of the

Mode of recovering same, &c.

Board to inspect School rooms, and if unfit, may order removal and provide others and receive fees paid by scholars, &c.

school to the Sectetary of the Board of Education, to be applied to the payment of rent, fuel and other necessary purposes, and the Board shall, in each case, have power, if they find it necessary, to increase the quarterly payment to be made by each scholar, up to, but not exceeding the full amount prescribed by the present section of this Act, and the Board shall also have power to ordain two schools, to be kept in one building, if they deem it necessary, and can procure one sufficiently capacious for the purpose, and in any case where the Trustees of any School in Charlottetown or Royalty, shall neglect to appoint a proper Teacher, the Board shall have power to nominate and appoint one on its own responsibility.

Power of Board to increase fee charged.

LX. The Board of Education shall have power to include the farms of Township Lands, fronting on the back royalty road of Charlottetown Royalty, in the same District or Districts, with the Royalty District Schools, or one or other of them, according to their situations. And the Inhabitants of such farms, in accordance with the terms of any such order by the Board of Education, shall be entitled to send their children to the School named in such order, and be liable to pay the same assessments and rates, or charges for fuel, furniture, and books, for such School, or for keeping up or repairing the same, as the Inhabitants of the Royalty are liable to.

Board may include Township lands, adjoining Royalty, in Districts with Royalty Schools.

LXI. There shall be allowed for Charlottetown, under this Act, six female Schools, if found necessary, exclusive of the Orphan School, with female Teacher's. And when, so soon as there shall be more than fifty scholars in attendance at each of the said female Schools, and it shall appear to the said Board, that there is a sufficient number of scholars above said number, to render it desirable or requisite to have further assistance,

Six female Schools in Ch'town, if necessary, exclusive of Orphan Schools.

Assistants when allowed

then the said Board may establish one or two more Schools, and appoint one or two female Teacher's thereto.

Orphan and  
destitute  
School, Char-  
lottetown,  
continued.

LXII. The School heretofore established in Charlottetown, for the benefit of orphans and children of destitute parents resident in Charlottetown, shall be continued as now in operation, and shall be open as heretofore, free of charge, to such children. And the Board of Education shall, from time to time, appoint a competent Teacher of either sex for such School, who shall be entitled to receive therefor, a salary of not more than fifty pounds per annum, payable out of the public Treasury of this Island, in such manner and under and subject to such restrictions and regulations as shall be prescribed by the Board of Education.

Salary of  
Teacher.

Orphan  
School  
Teacher to be  
examined by  
board, &c.

LXIII. The Teacher of such School shall be first examined by the Board, and, if found competent, shall receive a certificate to teach the primary branches of Education, whether he or she shall or shall not be able to qualify as a first class Teacher under this Act, and the said Board may cancel and revoke such certificate, for such reasons and in such manner as mentioned in the twelfth section of this Act.

Orphan chil-  
dren to have  
preference for  
admission, &c.

LXIV. Orphan children shall have preference of admission to said School, and no child shall be admitted thereto, if under the age of four years, nor continued therein if above the age of twelve years, nor shall any child be admitted unless recommended by a certificate in writing, to be signed by a clergyman, resident in the said Town, and also by a member of the Board of Education.

Expense of  
Orphan  
School to be

LXV. A sum of money sufficient to defray the expenses of fitting up said Orphan School-house, or room, and the rent thereof, with

books and fuel for the same, shall be paid annually out of the public Treasury of this Island, into the hands of the Secretary of the Board of Education for such purposes, and said Secretary shall account for the same to the Board.

defrayed out  
of Treasury.

LXVI. The said School and the Teacher thereof, shall in all respects, as far as circumstances shall admit, be conformable and subject to the several enactments, rules and regulations prescribed for other Schools and Teachers, in and by this Act, and the number of scholars to be limited for the said School, either as regards sex or the aggregate of both sexes, as well as the superiority of claims for admission thereto, shall from time to time, as occasion may require, be ordered and regulated by the said Board of Education.

Orphan  
School to be  
conformable  
to ordinary  
School Regu-  
lations, &c.

LXVII. It shall be the duty of the senior of Her Majesty's Justices of the Peace, resident for the time in Georgetown; and he is hereby required annually during the continuance of this Act, on the first Tuesday in June, in each year, to convene a public meeting of the inhabitants, householders in Georgetown, its Common and Royalty, having children between five and sixteen years, to be holden at the Court House in said Town; such meeting to be convened by such justice giving, or causing to be given, at least eight days notice thereof in writing, the same to be published by being posted in three or more public places in said Town and Common, and three or more public places in the said Royalty, and the inhabitants, householders, or a majority present at such meeting, shall elect five fit and proper persons, being also such resident householders as aforesaid, to be Trustees of the male and female Schools in Georgetown now established or to be established under this Act; and such Trus-

Duty of senior  
Justice,  
Georgetown,  
to call meet-  
ings to elect  
Trustees, &c.



Election and  
duties of  
Trustees.

tees so to be elected shall have the control of said Schools, and the selection of the Teachers, and make regulations respecting the location thereof, and the Teachers thereof shall be entitled to receive payment of their salaries quarterly, by warrant on the Treasurer of this Island, on producing a certificate that the same is due, signed by a majority of the Trustees and certified by the School Visitor and the Secretary of the Board of Education, and that the Teacher has been actually teaching the number of scholars required by Law, in the case of District Schools, during the period for which the sum specified in the certificate is payable.

Children in  
Royalty, &c.,  
may attend  
School in  
Georgetown.

LXVIII. The children of the inhabitants of Georgetown Common and Royalty may attend the Schools in Georgetown, mentioned in the last preceding section, but this privilege shall not interfere with the erection of district Schools in Georgetown Royalty, in the same manner as in other districts under this Act.

Scholars in  
Georgetown  
to pay quar-  
terly, 2s. 6d.  
each.

LXIX. The scholars receiving instruction at the said schools in Georgetown, shall pay quarterly each, the sum of two shillings and six pence, to be collected by the Teachers and paid over to the Trustees of the said School, appointed as hereinbefore mentioned, and to be applied by them to the purchasing of books and fuel, and to pay for rent and repairs of Schoolhouse; and other necessary purposes connected with the School, and if the Trustees shall find that the said quarterly payment is not sufficient for the purposes aforesaid, then they may order a further payment to be made by each scholar, not exceeding in any case the sum of two shillings and six-pence quarterly, in addition to the first mentioned quarterly payment, and if the said sums, or either of them, or any part

If this found  
insufficient,  
Trustees may  
require more  
to be paid.

thereof be not paid, the scholar in arrear may be debarred from further instruction at said School until the same be paid, and the said quarterly payment or any part thereof, shall be recoverable by the Teacher in the name of the Trustees, or a majority of them, before a Court of Commissioners for the recovery of Small Debts, at Georgetown, from the parents or guardians of the scholars.

Mode of recovering same

LXX. Two of the Trustees of the Georgetown Schools shall go out of office annually on the first Tuesday in July, in rotation, in the manner provided in respect to District Schools. That is to say the two persons first nominated shall go out, and the inhabitants of the said Town and the Common and Royalty thereof at their annual meeting, as hereinafter provided, shall elect two persons to supply their places. Power being nevertheless given to the said inhabitants to re-elect such two retiring Trustees, or either of them, if they shall see fit so to do ; their names or the name of such one of them being then placed at the bottom of the list, and in all cases of the election or re-election of Trustees, notice thereof shall be thereupon immediately forwarded by the Trustees of said School to the Secretary of the Board of Education.

Two Trustees-Georgetown Schools to go out of office annually.

Mode of electing others.

LXXI. The introduction of the Bible to be read in all the public Schools in this Island, of every grade, receiving support from the public Treasury, is hereby authorized, and the Teachers are hereby required, to open the School on each school-day with the reading of the Sacred Scriptures, by those children whose parents or guardians desire it, without comment, explanation or remark thereupon by the Teacher's ; but no children shall be required to attend during such reading as aforesaid, unless desired by their parents or guardians.

The Bible authorized, under certain conditions, to be read in Schools, &c.

Teacher who  
can teach  
French to re-  
ceive five  
pounds addi-  
tional salary,  
&c.

Provided  
Trustees con-  
tribute five  
pounds annu-  
ally.

Not more than  
20 Teachers to  
be entitled to  
this increase.

Normal  
School con-  
tinued.

Board to re-  
gulate man-  
agement of  
Normal  
School.

Normal  
School  
Teacher to be  
appointed by  
Lt. Governor,  
&c.

His duties.

LXXII. Any Teacher, male or female, who shall in addition to the qualifications required by this Act, be qualified to teach the French language, and who shall have taught in his School, (French), to a class of not less than ten pupils, shall, on producing from the Board of Education, a certificate of his competency to teach the French language, be entitled to receive five pounds over and above the salary to which such Teacher may be entitled under this Act; provided, the Trustees of such School District do raise the like sum of five pounds for such Teacher by voluntary subscription from the inhabitants, and provided further, that the number of Teachers receiving the aforesaid increase of salary, shall not amount to more than twenty.

LXXIII. The Normal School, at present established in Charlottetown for the training of male and female Teachers, shall be continued under this Act, and shall be held in the building now used for that purpose.

LXXIV. The mode in which such Normal School shall be continued, unless when otherwise provided for by this Act, shall be ordained by proper rules and regulations from time to time, to be made for that purpose by the Board of Education, subject to the control, alteration, supervision and approval of the Government.

LXXV. The Teacher of the Normal School shall be appointed and at pleasure removed by the Lieutenant Governor in Council, and shall by himself and the Teachers being trained by him, teach the children in attendance there the ordinary branches of Education usually taught in District Schools, and shall also train in the art of teaching such Teachers and candidates as may attend under certificate of admission

from the Board, giving to the latter a thorough and competent knowledge of the best method of conducting a common District School, and especially teaching them the art of communicating the several branches of Common School Education, in a manner best suited to the capacities, ages, and conditions of the pupils who may thereafter be under their care.

LXXVI. All students or scholars attending the Normal School (except scholars of the female School connected with the said Normal School, and persons attending the Normal School for the purpose of qualifying themselves as District and School Teachers under the provisions of this Act) shall pay a fee of two pounds per annum to the principal Master of said School, which said fee shall be payable quarterly in advance, and when collected, paid into the Public Treasury of this Island by the said principal Master of the Normal School.

Scholars attending Normal School, except those qualifying for Teachers, and certain others, to pay £2 annually.

LXXVII. Whenever the number of Scholars attending the Normal School, liable to pay the sum of two pounds mentioned in the last preceding section, shall be sufficient to make the total of their respective fees equal to the sum of not less than sixty pounds per annum, then, and in such case, the Lieutenant Governor in Council shall appoint an assistant Master to the said School, who shall be paid the salary of eighty-five pounds a year, and the amount of such fees shall be applied towards the payment of such salary, and the balance of such salary shall be paid out of the Public Treasury by warrant drawn quarterly in the usual manner.

Assistant Master in Normal School may be appointed when £60 per annum raised for fees, &c.

Salary of Assistant, and how paid.

LXXVIII. The number of scholars, in addition to Teachers or those desirous to be trained as such, who shall be entitled to attend at such Normal School, shall be regulated by order

Number of scholars, &c., to be regulated by Board.

of the Board of Education, subject to the consent and approval of the Lieutenant Governor in Council.

One of the female Schools may be held in Normal School Building, &c.

LXXIX. The Board of Education may, if they think fit, as heretofore, cause one of the Charlottetown female Schools to be held in the aforesaid Schoolhouse, in a room to be fitted up apart from the School for male scholars, to be held therein, and place the said female School and the Teacher thereof under the supervision of the principal Master of the Normal School, who shall train (if approved by the Board) Teachers, and candidates to be teachers therein; and the Board shall have power to prescribe and ordain what children shall have the right to attend as pupils of the female department of the Normal School.

Candidates for Teachers entitled to attend Normal School free of charge, &c.

LXXX. Every Teacher, whether male or female, or person who shall be a *bona fide* candidate for the office of Teacher, of whose qualification the Board shall be the judge, upon being examined by the said Board, and on producing a certificate thereof, certifying to the proficiency of such candidate, and to his or her being qualified to become a student for the office of School Teacher, shall, if he or she desire, be entitled to attend at the Normal School, and receive instruction and training in the art of Teaching, free of all fees and charges, for a period not exceeding five months.

Salary of Normal School Teacher.

LXXXI. The sum of two hundred pounds shall be paid to the Teacher of the Normal School, by warrant on the Treasurer, in the usual manner, payable in quarterly payments, from the date of his appointment, on his producing from the Board of Education, a certificate of his being entitled to the same.

Three School Visitors, (one

LXXXII. From and after the passing of this Act, there shall be three Visitors of Schools for

this Island ; that is to say, one for each of the Counties of King's, Queen's and Prince Counties, and it shall and may be lawful for the Lieutenant Governor, for the time being, in Council, as soon as this Act shall go into operation, to appoint three fit and proper persons to such offices, and to displace any such person or persons so appointed, at pleasure, and to appoint another person or persons to fill such vacancy or vacancies ; and one of such three persons so appointed, shall be Visitor of Schools for King's County, one other shall be Visitor of Schools for Queen's County, and the third shall be Visitor of Schools for Prince County.

for each  
County, to be  
appointed.

LXXXIII. Neither of such School Visitors shall engage in trade or business, whilst holding the office of Visitor ; and it shall be the duty of each School Visitor to visit all the Schools in the County for which he shall have been appointed, twice in every year, and to assist the Board of Education in prescribing the course of Education to be pursued in such Schools, and the books, diaries, lists of attendances, and other records to be kept therein, and in ordering what books shall be used in the Schools, what shall be the hours of attendance of the scholars, and commencement of terms, and other necessary details connected with the management of the Schools ; and each of such Visitors shall have power, and he is hereby directed whenever he shall see fit, to call a meeting of the Trustees connected with the respective Schools within his County, and to make to the Board of Education a quarterly report in writing, of his visits, stating therein the condition of every School, the method of teaching practised therein, the number of scholars, state and description of Schoolhouses, and whether in such Schools the provisions of this Act, and the orders of the Board of Education relating to such Schools

Visitor not to  
engage in  
trade, &c.  
His duties.

Report to  
Board.

Duty of Board  
with reference  
to Visitors'  
Reports.

have been complied with, and such other information as he may deem it necessary to give, and it shall be the duty of the Board to furnish each branch of the Legislature, within fourteen days after the meeting thereof, with such parts of said Visitor's Reports, including the statistics thereof, as they may deem necessary, together with, if they deem fit, their own remarks thereon, and a copy of such extracts and remarks shall be published annually in one of the public newspapers of the Colony.

Visitor to enter his name and date of visit in Trustees' book.

LXXXIV. The School Visitor of each County for the time being is hereby required, at each and every visitation made by him, to the Schools of his County, to enter his name and the date of his visitation in the book or record kept by the Trustees of such Schools for that purpose.

Visitors to visit frequently the Normal School.

LXXXV. It shall be the duty of the School Visitors to visit frequently the Normal School, and to assist the Board of Education in directing the management thereof.

Salary of Visitors.

LXXXVI. The salary of each School Visitor under this Act, shall be one hundred and fifty pounds per annum, to be paid quarterly from the date of his first appointment, by warrant drawn in the usual manner on the Treasurer of this Island, on producing the certificate of a quorum of the Board of Education, of his being entitled to receive the same.

No Clergyman, Teacher, &c., to be liable to Assessment.

LXXXVII. No Clergyman or Minister having charge of a Congregation of Religion, or Teacher, or head of any Educational Establishment, whether such Establishment shall be in operation under this Act, or otherwise, in this Island, shall be liable to pay any assessment imposed by this Act for the purposes of Education.

Teacher with-  
in 20 days to

LXXXVIII. Every school Teacher is hereby required, within twenty days after

his entering into his engagement as Teacher, to transmit to the Secretary of the Board of Education a notice thereof, in writing, in the form in the schedule of this Act, annexed, marked B, stating the date at which he shall have entered into such engagement, and the day on which the School under his charge shall have been opened, and such engagement as aforesaid shall in no case be entered into for a longer or shorter period than twelve months from the commencement thereof, and every such agreement and engagement shall be duly made and entered into in writing between the said Teacher and the School Trustees, to be appointed as by this Act directed, and shall be in the form or to the effect prescribed in the schedule to this Act annexed, marked A.

send notice of his engagement to Secretary of Board.

Form of Teachers' assessment.

LXXXIX. It shall be the duty of the Trustees of all Schools in this Island, and they are hereby required in all cases, when entering into an engagement or agreement with any Teacher, to state and set forth in every such agreement what is the total number of scholars or children within the age of five and seventeen years in their District, and also the average daily attendance of scholars required by this Act for such school when the same is a district school.

Trustees on entering into agreement, to set forth number of scholars in the District, &c.

XC. The Journal or Register required by the fifty-fourth section of this Act to be kept by every Licensed Teacher, and forwarded by him or her to the Secretary of the Board of Education, shall, before being so forwarded, be certified to as to the correctness thereof, upon oath, by every such Teacher before a Justice of the Peace.

Teacher to verify journal on oath.

XCI. When, and as often as the resident householders in any two adjoining country School districts in this Island, having child-

When a Grammar School may



be substituted  
for 2 District  
Schools.

When Board  
may merge 2  
Districts for  
the purpose,  
and appoint  
Teacher, &c.

Usher to  
Grammar  
School, how  
appointed.

Other Gram-  
mar Schools  
when allowed.

ren within the age of five and seventeen years, or the Trustees of such Districts, shall be desirous of obtaining the establishment of a Grammar School in lieu of the two district Schools within their districts, and the Trustees of both of said districts, on behalf of such resident householders therein as aforesaid, shall signify such, their desire, in writing, to the Board of Education, and shall provide a suitable building for the purpose of such Grammar School, the same to be of not less area than six hundred square feet, and to be at least ten feet in the height of the post, that then, and in every such case, the said Board of Education shall have power, and they are hereby required to merge said two districts into one and to establish therein a Grammar School, in lieu of the two district Schools theretofore in operation in such districts, and to appoint a Teacher to such Grammar School, who shall be qualified to teach the various branches hereinafter specified, and the Board of Education shall have power at any time, upon the application of the Trustees of any such Grammar School as aforesaid, to appoint an Usher or assistant Teacher to such school.

XCII. The Board of Education shall likewise have power at their discretion, subject to the proviso as to the number of Grammar Schools in the next section set forth, to establish in any country School district in this Island, a Grammar School in lieu of the district School, should it appear to them to be necessary or advisable, and an application be made to them by the Trustees or householders of the district, and the said Board of Education shall appoint to such Grammar School a Teacher possessing the qualifications hereinafter prescribed.

XCIII. The number of Grammar Schools in each of the Counties of this Island, to be allowed or recognized under this Act, over and above those Grammar Schools formed by the junction of two District Schools under this Act, or in Charlottetown, Georgetown, or Summerside, shall not exceed the following number, that is to say, in Prince County three, in King's County three, and in Queen's County five, unless the establishment of an additional Grammar School, or additional Grammar Schools, shall, on recommendation of the Board of Education, be sanctioned by order of the Lieutenant Governor in Council.

Number of Grammar Schools in Counties (except where formed by merger of District Schools) limited.

XCIV. The Board of Education, at any time, if they, on examination, or the report of the examiners, find that a candidate for a Teacher's license is not likely to become fitted to be a Teacher without attending at the Normal School, shall require such candidate to attend at such Normal School for any period they may think fit, not exceeding five months, before they will again allow such candidate to offer himself for examination.

If Board find a Candidate clearly unfitted, may require attendance at Normal School.

XCV From and after the passing of this Act, the Board of Education shall have power to continue in Georgetown a Grammar School, in addition to the male and female Schools which are hereby authorized to be established and provided for therein, and in Summerside a Grammar School in addition to the District School already established therein, respectively; and the administrator of the Government, for the time being, in Council, shall from time to time, appoint the Teachers to such Grammar Schools, whose qualifications for teaching shall be those in this Act prescribed, and such Teacher shall charge, collect, and receive, from the parent or guardians of the children attending such Schools, a tuition fee, or such sum per

Board may continue Grammar School in Georgetown and Summerside, &c.

Governor to appoint Teachers to such Grammar Schools.

Fee payable by children attending.

Conditions precedent to Teacher obtaining his salary.

head for every child taught by him, as shall be fixed by the Board of Education in that behalf, and subject to such rules and regulations as they shall prescribe, and the same in default of payment, shall and may be recovered, as in other cases under this Act; provided always, that no such Teacher, as last aforesaid, shall be entitled to draw the Government allowance payable to him under this Act, until he shall first have produced the certificate of the Secretary of the Board of Education, and one other member of the said Board as herein prescribed and required, in regard to District School Teachers, or until he shall have filed with the said Secretary of the Board of Education, a certificate, under the hands of a majority of the Trustees of his School, certifying to the effect, as in the form in the Schedule (C), to this Act annexed.

Tuition fees to be applied by Trustees for purchase of fuel, &c.

**XCVI.** The tuition fees to be collected by the said respective Grammar School Teachers in Georgeown and Summerside, shall be duly applied and appropriated under the directions of the respective Trustees of said Schools, in the purchase of books and fuel, and in repairing the respective Schoolhouses or buildings; and an account of such fees and of the appropriation thereof, shall be duly kept and laid before the Board of Education, regularly, at least once in every year after the establishment of such respective Grammar Schools.

Grammar School Teacher must be able to teach Latin, French and Greek, as required by Board, &c.

**XCVII.** The Teacher to be appointed to each and every Grammar School now established, or to be established under this Act, shall, in addition to the qualifications of second or higher class Teachers by this Act, be qualified to teach the Latin, Greek, and French languages, in such proficiency as the Board of Education shall deem requisite, and shall hold the certificate of the said Board, of such his qualifications.

**XCVIII.** At the time of making the appointment of Teacher, to each of the Grammar Schools to be established in Georgetown and Summerside under this Act, the Lieutenant Governor in Council shall likewise appoint Trustees to each of such Schools, respectively, whose powers and duties shall be the same as those of the Trustees of ordinary School Districts under this Act.

Lt. Governor, &c., to appoint Trustees of Grammar Schools in Georgetown and Summerside, with certain duties & powers.

**XCIX.** The parents or guardians of any child or children residing within any of the respective Counties, in which the said respective Grammar Schools of Georgetown and Summerside shall be situate, shall have the privilege of sending such child or children, to be taught in the Grammar Schools established in any such County Towns, respectively, and such parents or guardians shall not be liable to pay any assessments or contributions towards the salary of the Teacher of the School of the District, wherein such child or children may reside (so far as such child or children are concerned) so long as such child or children shall be in attendance at such Grammar School, provided such parents or guardians shall have given notice of their intention to send any such child or children to such Grammar School, at the time of any such District School assessment aforesaid, being levied for the year.

Children in the County may go to Georgetown or Summerside Grammar Schools, &c.

**C.** Trustees for the said Grammar Schools to be established under this Act, save and except the Grammar Schools in Georgetown and Summerside, shall be appointed in the same manner as provided by this Act for the appointment of Trustees of ordinary district Schools, and all the provisions of this Act prescribing the duties and powers of Trustees of said district Schools shall apply to and regulate the duties and powers of the Trustees of such

Other Grammar School Trustees appointed in ordinary manner.

Grammar Schools, save and except the two Grammar Schools in this clause excepted.

Teacher applying for salary, to deposit copy of agreement, with certificate, &c.

Form of certificate.

Secretary of Board to certify class of Teacher, and amount of his salary, &c.

CI. Every Teacher, before he shall be entitled to draw the Government allowance under this Act, except the Teachers of the Grammar Schools in Georgetown and Summerside, shall deposit, or cause to be deposited with the Secretary of the Board of Education, one part of the original agreement made by him, or on his behalf, with the Trustees or inhabitants of any school district, or a true copy thereof, attested on oath, which said agreement shall be in the form or to the effect prescribed in the schedule in this Act annexed, marked (A), and a certificate in the form in the Schedule to this Act annexed, marked (C), shall be endorsed thereon or thereto annexed, under the hands of a majority of the Trustees of his School, in the manner prescribed by this Act (which said certificate shall be signed by the said Trustees in presence of a Justice of the Peace) certifying that the provisions of this Act in all respects have been duly complied with, and also certifying to the good conduct, attention and sobriety of such Master, during the term he shall have kept his School, pursuant to such agreement, which conduct shall also be thereon certified by one or more Justice of the Peace, and the said Secretary, with the concurrence of one other member of the said Board of Education, shall certify the class to which such Teacher shall belong and the amount to which, by law, and as shall satisfactorily appear by such certificate, the said Teacher shall be entitled, and shall also certify that the said agreement, or an attested copy thereof, as aforesaid, has been duly filed and that the same has been framed in accordance with the provisions of this Act hereinbefore expressed, and on the production of such certifi-

cate last mentioned, such Teacher shall be entitled to receive from the Treasury of this Island such amount as he or she, according to his or her class and qualifications, shall be by law entitled to, the same to be paid by quarterly payments, on production of the certificates and other requisites prescribed by this Act, by warrants under the hand and seal of the Lieutenant Governor for the time being, with the advice of Her Majesty's Executive Council.

Which shall be paid quarterly by warrants.

CII. It shall not be necessary that the Trustees shall sign the certificate mentioned in the last preceding section, collectively and in the presence of each other, provided the same be signed by them individually at different times.

Trustees may sign certificate separately.

CIII. The two Schools which were established and are now in operation, in the district known as the Anglo Rustico District, or Township Number twenty-four, in this Island, (one school having been found insufficient to afford the means of Education to all the children therein) shall be continued as now in operation, and the Board of Education are hereby authorized to divide and alter the said district in such way and manner as they may deem expedient, so as to meet the exigency of the case, anything herein contained to the contrary, notwithstanding, provided always that no Teacher, appointed to take charge of any such School or Schools in the said Anglo Rustico District, shall at any time be recognized as a district Teacher or be entitled to a salary, unless such person shall have obtained a license as a first or second class Teacher from the Board of Education, and shall comply with the provisions of this Act, relating to district Teachers.

Anglo-Rustico Schools, Lot 24, continued under control of Board.

Teacher therein to hold license.

CIV. In case any other established School district in this Island shall be found similarly circumstanced with the said district, hereinbe-

Districts found similarly circumstanced as

Anglo Rustico District, may be dealt with in same manner.

fore designated the Anglo Rustico District, it shall be in the power of the Board of Education to apply the same remedy in relation thereto, by dividing or altering the same and establishing an additional School therein, as is mentioned and set forth in the last preceding section, in regard to the said "Anglo Rustico District," and with the like restrictions in all respects as therein prescribed, in regard to the Teacher of any such additional School, being a duly licensed Teacher, and the Trustees of his School shall conform in all respects to the provisions of this Act.

Salaries of Teachers annually.

Male Teachers, 1st class, £55.

Do. 2nd class, £60. Female Teachers, £40

Grammar School Teachers where districts merged, £100.

Do. where no merger, £95. Ushers, £10.

Grammar School Teachers in Georgetown and Summerside, £100.

Ushers same, £15.

CV. There shall be paid as salaries to the several classes of Teachers, assistant Teachers and ushers of Grammar Schools in the several Districts and Towns in this Island, (save and except the Teacher and usher of the Charlotte-town Grammar School) hereinafter mentioned, the respective yearly salaries following, that is to say: to male District Teachers of the first or lowest class, the sum of fifty-five pounds per annum; to male District Teachers of the second or highest class, the sum of sixty pounds per annum; to female District Teachers, the sum of forty pounds per annum; to male District Teachers of Grammar Schools, when two Districts combine to form a Grammar School, as hereinbefore mentioned and provided, the sum of one hundred pounds per annum; to male District Teachers of Grammar Schools, where Districts are not so combined, the sum of ninety-five pounds per annum; to ushers of such first named Grammar Schools, the sum of ten pounds per annum; to Teachers of Grammar Schools in Georgetown and Summerside, the sum of one hundred pounds each per annum; and to the ushers of Georgetown and Summerside Grammar Schools, the sum of fifteen pounds per annum; to male Teachers of Schools in

Charlottetown, of the first or lowest class, the sum of seventy-seven pounds per annum ; and to the assistant of such last named Teacher, the sum of sixty-six pounds per annum ; to Teachers of the second or highest class of Schools in Charlottetown, the sum of one hundred pounds per annum ; and to the assistant of such last named Teacher, the sum of sixty-six pounds per annum ; to female Teachers of female Schools in Charlottetown, the sum of forty-nine pounds ten shillings per annum ; to Teachers of the female Schools in Georgetown, the sum of forty pounds per annum ; and lastly, to the male Teachers of the first or lowest class, licensed by, and holding a certificate from the Board of Education, previous to the passing of the Act, of the twenty-third Victoria Chapter fourteen, since repealed, but who shall not have passed an examination, and obtained a certificate from the said Board, subsequently to the passing of the said repealed Act, and who shall have heretofore declined or refused to submit to be re-examined by the said Board, or having so submitted shall not have been deemed entitled to a certificate of qualification, the sum of forty-five pounds per annum ; provided always, that until a Teacher of any District or Town School shall have been actually engaged as a Teacher in conformity with the provisions of this Act, or the hereby repealed laws relating to education, for a period of three years, he shall not be entitled to the full salary hereby directed to be paid to the Teachers of the class to which he may belong, but the salary of such Teacher shall be reduced yearly, and every year, until he shall have completed three years of teaching under this Act, or the former Acts, relating to education, by deducting the sum of five pounds therefrom in every case.

Ch'town Male Teachers, 1st class, £77. Assistant, £66.

Teachers, 2nd class, Charlottetown, £100.

Assistant, £66

Female Teachers, Ch'town, £49 10s.

Do. Georgetown, £40.

Teachers licensed before 23, Vic., Cap. 14, and not again examined, &c., 1st class, £45.

Teachers until they have served 3 years, to receive in each case, £5 less of salary annually.



Teachers' salaries to be paid by warrant on usual certificates, &c.

**CVI.** The several and respective salaries aforesaid, shall be paid by warrant, on the public Treasury, at such time or times, and under and subject to the same provisoes, restrictions and qualifications, and on the production of the certificates, attestations and papers, and performance of the services hereinbefore mentioned, and shall also be subject to be reduced in amount for want of the daily average attendance of scholars as hereinbefore provided.

Former Acts, orders, &c., of Board of Education and others, sustained as if repealed Acts were continued in force, &c.

**CVII.** All acts, orders, deeds, transactions, matters and things whatsoever, made, done, had or executed by the Board of Education, or by or under their direction, sanction, priority or authority, under and by virtue of any Act or Acts hereby repealed or heretofore in force, relating to education, and all appointments of Trustees and other persons whomsoever, under and by virtue of the said Acts, and all agreements, contracts, arrangements, obligations, liabilities, matters and things whatsoever, had, made, done, executed, incurred, entered into or subsisting by or between the inhabitants or householders or School Trustees in any School District, Town, place or locality whatsoever, in this Island, and any Teacher or Teachers, or by and between any other person or persons, at the time of the passing of this Act, in pursuance, or under, or by virtue, of the Acts hereby repealed, or any law heretofore in force, relating to education, are hereby expressly declared to be, and the same shall continue to be in all respects good, valid, absolute, binding, and effectual, both at law and in equity, under the operation of this Act, as if the said recited Acts, and every one of them, still remained in full force, and not in any manner repealed.

Act to go in force on 1st June, 1868.

**CVIII.** This Act shall go into force and operation on the first day of June next, and not before that time.

## SCHEDULE A.

## FORM OF AGREEMENT WITH TEACHER.

## Schedule (A.)

Form of  
Teacher's  
agreement.

These Presents witness that A. B., Licensed Teacher, doth hereby agree and engage with C. D., E. F., G. H., I. J., and K. L., Trustees of the District School, or Grammar School, Township number      in Prince Edward Island, to conduct the said school duly, faithfully and punctually, in accordance with the Law, and the rules and regulations of the Board of Education for, and during the term of one year from the      day of      according to the best of skill and ability, and the said Trustees, on their part, agree and engage to keep the Schoolhouse in said district in substantial repair and comfortable for the Teacher and scholars, to provide sufficient fuel, cut at all times for the use of said school, to provide such books and school furniture as may be prescribed by the Board of Education and Visitor of Schools—to visit and inspect said School—to direct the discipline thereof—to keep in as regular attendance as possible all the scholars resident in said district, amounting to      in number; \* and that the said parents shall also make good any reduction in the amount of the salary of the said A. B., which may be occasioned by a deficiency in the average daily attendance of scholars, as required by law for the said district, which said average is      scholars; \* and on the performance of the said Teacher of his part of this agreement, to give him the Certificate necessary to enable him to receive the allowance to which he shall be entitled from the Treasury of this Island. (If there be any further agreement between the parties as to any allowance to the Teacher for his board or otherwise, insert the same here.)

In witness whereof, the said parties to these presents have hereunto set their hands and seals the      day of      A. D.

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Signed, sealed and executed }  
in the presence of M. N. }

A. B. (seal) } Teacher.  
C. D. (seal) }  
E. F. (seal) }  
G. H. (seal) } Trustees.  
I. J. (seal) }  
K. L. (seal) }

N. B. When the School is a Grammar School, the words between the asterisks, in the preceding form, to be left out.

## SCHEDULE B.

## NOTICE FROM TEACHER OF HIS ENGAGEMENT.

## Schedule (B.)

Teacher's  
notice of en-  
gagement.

I hereby give notice that I have entered into an agreement, bearing date the      day of      18      to teach the School (or Grammar School) in the settlement of      in Township number      (or in the Town or Royalty of      ) for the term of      and that the said School was opened on the      day of      18      .

A. B., Teacher.

We do certify that the foregoing statement is correct.

C. D. }  
E. F. } Trustees.  
G. H. }

## Schedule (C.)

## SCHEDULE C.

Teacher's certificate to obtain salary.

## TEACHER'S CERTIFICATE TO OBTAIN SALARY.

We the undereigned Trustees of the School at Township number do hereby certify that A. B., Teacher of the class (or if a Grammar School, say Teacher of the Grammar School on Township number ) (or as the case may be) has diligently, faithfully and soberly discharged his duties during the last months as Teacher of our School, and has, during the said period, duly kept a journal of the said School, and in all other respects has complied with the laws now in force, relating to Education, and is entitled to receive the sum of for his said services, and that a Schoolhouse, in accordance with the provisions of the laws now in force, has been provided, and that the average attendance at this School during the past six months has been in number, as witness our hands this day of 18 .

} Trustees.

I certify that the foregoing statements, to the best of my knowledge and belief, are correct, and that this certificate has been signed by the said Trustees in my presence.

J. P.

## Schedule (D.)

## SCHEDULE D.

Form of notice of meeting to appoint Trustees

## FORM OF NOTICE OF MEETING TO APPOINT TRUSTEES.

## NOTICE.

A meeting of the inhabitants, resident householders within School District number on Township number (describe the district according to its registered name, or usual designation) will be held at the Schoolhouse, in said district (or as the case may be) on the day of next (or instant as the case may be) at o'clock, in the noon, for the purpose of electing Trustees for the said School District, according to Law.

A. B. }  
C. D. } Trustees.  
E. F. }  
G. H. }

## Schedule (E.)

## SCHEDULE E.

Affidavit of notice being posted.

## FORM OF AFFIDAVIT OF NOTICE BEING POSTED.

County }  
to wit }

J. K., of in the said County, maketh oath and saith that a true copy of the notice or paper writing hereunto annexed, was, on the day of instant (or last as the case may be) duly posted at each of the three following places within School District number on Township number (or as the case may be) that is to say: one copy thereof on Mr. 's forge, (or as the case may be) another copy thereof at and the third copy at being three of the most public places within the said School District.

J. K.

Sworn to before me this }  
day of 18 . }

L. M., J. P.

## CAP. VII.

**An Act for appropriating certain monies therein mentioned for the service of the year of our Lord one thousand eight hundred and sixty-eight.**

[Passed, April 24th, 1868.]

**MAY IT PLEASE YOUR EXCELLENCY.**

We Her Majesty's dutiful and loyal subjects, the House of Assembly of Prince Edward Island, towards appropriating the several supplies raised for the exigencies of Her Majesty's Government, do humbly beseech, that it may be enacted: And be it therefore enacted, by the Lieutenant Governor, Council and Assembly, that by and out of such monies, as from time to time shall be, and remain in the public Treasury of this Island, There shall be allowed, and paid for the services herein mentioned the several sums following :—

A sum of five thousand pounds for the service of Roads, Bridges and Wharfs, for the present year, the same to be appropriated to each County in the following manner :

£5000—general service of Roads Bridges & Wharfs.

Queen's County, including Charlottetown and Royalty, one thousand seven hundred and forty-two pounds.

£1742,—Queen's C'ty

Prince County, one thousand four hundred and twenty-nine pounds.

£1429, Prince County.

King's County, one thousand four hundred and twenty-nine pounds.

£1429, King's County.

Opening new roads under Road Compensation Act, one hundred pounds.

£100, new Roads.

Contingent expenses of Roads, Bridges and Wharfs, to be equally divided between the three Counties, three hundred pounds.

£300, Contingent expenses Roads, &c.

£500, for  
Paupers.

And a sum of five hundred pounds for the paupers of the three Counties, in the following proportions :

£200, Queen's  
County.

For Queen's County, two hundred pounds.

£150, King's  
County.

For King's County, one hundred and fifty pounds.

£150, Prince  
County.

For Prince County, one hundred and fifty pounds.

£650, Indians  
& casual  
Paupers.

And a sum of six hundred and fifty pounds for Indians and casual relief to poor persons, in the following proportions :

£100, Indians.

Indians, one hundred pounds.

£400, small  
grants.

Small grants, four hundred pounds.

£150 casual  
Paupers.

Casual paupers, one hundred and fifty pounds.

Sufficient for  
Mails.

Summer and winter mails, a sum sufficient.

Expenses of  
Assembly.

Contingent expenses of the House of Assembly, a sum sufficient.

£200, Boards  
of Health.

Boards of Health, two hundred pounds.

Inland Mails.

Inland mails, a sum sufficient.

£100, Postage.

Public postage, one hundred pounds.

Auditors,  
£100.

Auditors of Public Accounts, one hundred pounds.

£20, Issue of  
Treasury notes.

Issuing Treasury Notes, twenty pounds.

£7617, Sala-  
ries by stat-  
ute.

And a sum of seven thousand six hundred and seventeen pounds, to pay the salaries to Public Officers, as provided for by Statute.

Crown Prosecutions, Officers' fees for miscellaneous services and for jurors, four hundred and fifty pounds. £450, Prosecutions &c.

Crier of the Supreme Court, twenty pounds. £20, Crier Court.

Coroners' Inquests, one hundred pounds. £100, Inquests.

Expenses of three County Jails, nine hundred pounds. £900, Jail expenses.

Medical attendants of three County Jails, twenty-two pounds. £22, Medical attendance jails.

Keepers of three County Jails, one hundred and twenty pounds. £120, Jailors.

Matron of Queen's County Jail, fifteen pounds. £15, Matron Q. C. Jail.

Matrons of King's and Prince County Jails, five pounds each. £5, Each matron other Counties.

Superintendent of Public Works, seventy-five pounds. £75, Sup. works.

Plans and expenses of Superintendence of Public Works, two hundred pounds. £200, Plans, &c.

Assayer of Weights and Measures, ten pounds. £10, Assayer Weights.

Land Waiters and Preventive Officers, three hundred and fifty pounds. £350, Land-waiters, &c.

Keeper of Colonial Building, sixty pounds. £60, Keeper Building.

Extra services about Colonial Building, sixty pounds. £60, Extra services building.

Messenger of Public Offices, fifty pounds. £50, Messenger.

Market Clerk, Georgetown, five pounds. £5, G. T. Market Clerk.

£300, Buoys, &c.	Buoys and Beacons, three hundred pounds.
£600, Model Farm.	Model and Stock Farm, six hundred pounds.
300 <i>l</i> Encouragement Industry, &c.	Encouragement of Agricultural Local Industry, one hundred pounds for each County, under the management of a committee to be appointed by Government.
10 <i>l</i> Cascupec Agricultural Society.	Cascumpec Agricultural Society, ten pounds.
70 <i>l</i> 5 <i>s</i> . 2 <i>d</i> . Verdict late Atty. General.	Amount recovered by late Attorney General for drawing Bonds and so forth, seventy pounds five shillings and two-pence.
49 <i>l</i> 14 <i>s</i> . Hewson & Jenkins.	Amount recovered by Messieurs Jenkins & Heuson, for building Powder Magazine, forty-nine pounds fourteen shillings.
150 <i>l</i> Colonial Building.	Repairs to Colonial Building and improvements of Square, one hundred and fifty pounds.
Expenses Leg. Council.	Contingent expenses of the Legislative Council, a sum sufficient.
200 <i>l</i> Protection Revenue.	Protection of Revenue, if required, two hundred pounds.
60 <i>l</i> Steamboat inspection.	Steamboat inspection, sixty pounds.
60 <i>l</i> Ferries.	Ferries, sixty pounds.
100 <i>l</i> Hospital.	Hospital, one hundred pounds.
25 <i>l</i> Assessors.	Assessors under Education Act, twenty-five pounds.
100 <i>l</i> Private Secretary.	Governor's Private Secretary, one hundred pounds.
60 <i>l</i> Steamers' Wharfage.	Wharfage at Charlottetown for Mail Steamers, sixty pounds.
700 <i>l</i> Contingencies.	Contingencies of the Government, seven hundred pounds.

Legislative Library, fifty pounds.	50 <i>l</i> Library.
Rent of Bonded Warehouse at Charlottetown and Summerside, ninety-five pounds.	95 <i>l</i> , Rent warehouses.
Education, a sum sufficient.	Education.
Expenses of Lighthouses, one thousand five hundred pounds.	1500 <i>l</i> Light Houses.
Light at St. Andrew's Point, fifteen pounds.	15 <i>l</i> Light St. Andrew's Pt.
Light at Rustico Harbor, fifteen pounds.	15 <i>l</i> do. Rustico.
Light at Tracadie Harbor, fifteen pounds.	15 <i>l</i> do. Tracadie.
Light at St. Peter's Harbor, fifteen pounds.	15 <i>l</i> do. St. Peter's.
New Light at Murray Harbor, twenty pounds.	20 <i>l</i> do. Murray Harbor.
New light at New London, twenty pounds.	20 <i>l</i> do. New London.
Summerside Light Keeper, fifteen pounds.	15 <i>l</i> do. Summerside.
St. Paul's and Scattarie Lights, forty-five pounds.	45 <i>l</i> do. St. Paul's Lights.
A sum of seven hundred pounds for Steam and Packet Communication between Georgetown, Souris, Pictou, Murray Harbor and Charlottetown.	700 <i>l</i> , Steam Georgetown, &c.
The Teacher of Belfast Grammar School, fifteen pounds.	15 <i>l</i> Belfast G. School.
Indian Teacher at Lennox Island, Books and Schoolroom included, seventy-five pounds.	75 <i>l</i> Indian teacher Lennox Island.
Repairs to Georgetown Schoolhouse, fifty pounds.	50 <i>l</i> Repairs Georgetown School.
Repairs to Georgetown Court House, one hundred pounds, including fencing in ground.	100 <i>l</i> do. Court House.



50l Fire De-  
partment,  
Ch'town.

Charlottetown City Fire Department, fifty pounds.

1500l Militia,  
&c.

Militia and Volunteer service under Act of 1866, a sum not exceeding one thousand five hundred pounds, at the disposal of the Commander-in-Chief.

218l Military  
Belts.

Cost of Military Belts furnished by the Imperial Government, two hundred and eighteen pounds.

190l Cascum-  
pec Packet.

Packet between Cascumpec, Shediak, and Charlottetown, one hundred pounds.

20l Executive  
Messenger.

Messenger of Executive Council, twenty pounds.

100l Gas.

Gas Company for Gas, one hundred pounds.

150l Fuel.

Fuel for Public Offices, one hundred and fifty pounds.

17l 10s. Har-  
bor Master  
Ch'town.

Harbor Master, Charlottetown, seventeen pounds ten shillings.

50l Guard.

Guard at Government House, fifty pounds.

30l Gas, &c.  
Gov't House.

Gas light and fuel for Government House, thirty pounds.

25l Signal  
Station.

Signal station, and disbursements, twenty-five pounds.

400l Govern-  
ment House.

Government House Committee, four hundred pounds.

650l Dredging  
Ferry.

Dredging Charlottetown Ferry, six hundred and fifty pounds.

300l Ferry  
Wharf, Char-  
lottetown.

Ferry Wharf and floats, Charlottetown, three hundred pounds.

Inlet De-  
Roche.

To deepen inlet at Point DeRoche five pounds.

Archibald McNeill, for daily telegrams from England, United States, and the Colonies, payable at the end of the present year, twenty pounds.

201/ Telegrams.

William McDonald, Contractor for East Point Light-house, in full for all his claims, twenty pounds.

201/ Contractor Lighthouse, East Point.

Pierce Doyle, for extra work at Summerside drill shed, forty pounds.

401/ Extra work Summerside Drill Shed.

Special grant for macadamizing main post road within the Royalty of Charlottetown, at the disposal of the Government, two hundred and fifty pounds.

2501/ Macadamizing road C. T. Royalty

Special grant for macadamizing roads at Georgetown and Royalty, and at Summerside, each one hundred pounds at the disposal of the Government.

2001/ do. Georgetown and Summerside.

Keeper of the Bonded Warehouse, Charlottetown, fifty pounds.

501/ Keeper Warehouse, Ch'town.

Deaf and Dumb Institution, Halifax, fifty pounds.

501/ Halifax dumb Institution.

Public surveys, and Commissioner's disbursements in connection with Land Office, four hundred pounds.

4001/ Surveys Land Office.

Interest on Public debt, nine thousand pounds.

90001/ Interest on debt.

Public printing and Stationery, one thousand pounds.

10001/ Printing.

Incidental expenses of Lunatic Asylum, in addition to allowance by statute, one thousand pounds.

10001/ Additional to Lunatic Asylum.

Public Land office, three hundred and thirty pounds.

3301/ Land Office.

- 150L Savings Bank. Management of Savings Bank, one hundred and fifty pounds.
- 300L Controllers out-ports. Controllors of Customs and Navigation Laws, and Collectors of Impost and Excise for out-ports, except Georgetown and Summerside, three hundred pounds.
- 125L Clerk Excise. Additional clerk in Excise office, one hundred and twenty-five pounds.
- 100L Post Office Clerk. Third clerk in the Post office, one hundred pounds.
- 150L 9s. 6d. Wharf Mink River. To extend a Wharf at Mink River, Murray Harbor, out of this year's appropriation, one hundred and fifty pounds nine shillings and six-pence.
- 100L Wharf St. Peter's. To Wharf at north side Head of Saint Peter's Bay, in addition to subscription list of sixtys five pounds, one hundred pounds.
- 75L Wharf Lot 59. To Inhabitants of Lot fifty-nine, to extend Wharf at Peter's shore, seventy-five pounds.
- 50L Wharf Little Run, Grand River. To build a Wharf near Little Run, Grand River, Lot fifty-five, or such other place as the Government may direct, fifty pounds.
- 25L Wharf Lot 56. To repair Grand River Wharf, Lot fifty-six, twenty-five pounds.
- 50L Wharf Lewis's, Launching. For re-building a bridge on Launching Road, below Lewis's Mill, fifty pounds.
- 75L Road over flats Rollo Bay. For making a road over Rollo Bay flats, to be expended by the Road Commissioner, seventy-five pounds.
- 30L Extra work, bridge Quagmire, Lot 16. To Laurant Perry, for extra work on the Quagmire Bridge, Lot 16, eighty pounds.

For finishing the bridge over the Marsh at Pisquid, one hundred and fifty pounds.

150L Bridge  
Pisquid  
Marsh.

To Angus and Donald McDonald, for extra work on Pisquid Bridge, twenty pounds.

L20 Extra  
work bridge  
Pisquid.

To finish the bridge at North Pinette, in addition to former grants, including the subscription list of three hundred and sixty pounds, one hundred pounds.

100L Bridge  
North Pinette

To ballast the breakwater at Victoria Harbor, two hundred pounds.

200L Break-  
water Vic-  
toria Harbor.

To extend the Wharf at McConnell's, Lots 35 and 36, fifty pounds.

50L Extend  
McConnell's  
Wharf.

To repair the bridge on the line north of Patrick Dogherty's, Lots 30 and 65, fifty pounds.

50L Dogher-  
ty's bridge.

To be placed in the hands of the members for the District, to purchase Clay's Wharf, Grand River, Lot 55, and such right of way in connection with the same, as they may agree upon, sixty pounds.

60L To pur-  
chase and re-  
pair Clay's  
Wharf Lot  
55.

To repair the said Wharf, six pounds.

To build a bridge of stone at New Wiltshire, Lot 31, one hundred pounds.

100L Stone  
bridge Wilt-  
shire.

Brudenell Wharf, south side, for contract performed, twenty pounds.

20L Brude-  
nell Wharf.

Launching Wharf, twenty pounds.

20L Launch-  
ing Wharf.

Stanley bridge, New London, contracted for, four hundred and twenty pounds.

420L Stanley  
bridge.

Clifton Wharf, New London, in addition to balance of a former grant not expended, (contracted for), one hundred and fifty-nine pounds eighteen shillings.

159L 18s.  
Clifton Wharf.

408L 15s.  
Cascumpee  
Wharf.

Cascumpee Wharf, in addition to balance of former grant, not expended (contract taken), four hundred and eight pounds fifteen shillings.

£131 Black  
Pond Bridge.

Black Pond bridge, Lot forty-six, in addition to balance of former grant (contracted for), one hundred and thirty-one pounds.

342L Bridge  
Wilmot Creek.

Wilmot Creek bridge, in addition to balance of a former grant not expended, (contracted for), three hundred and forty-two pounds.

50L Long  
River Wharf.

Long River Wharf, New London, fifty pounds.

150L Hay-  
den's Wharf.

Hayden's Wharf, Hillsborough (to complete), and road leading to it, in addition to former grant (contracted for,) one hundred and fifty pounds.

284L Midgell  
Bridge.

Midgell bridge, Saint Peter's, (contracted for), two hundred and eighty-four pounds.

50L Marie  
Bridge.

Marie bridge, Saint Peter's, fifty pounds.

30L St. Peter's  
Breakwater.

St. Peter's breakwater, to ballast work already done, under superintendence of John A. McLaine and Martin McInnis, thirty pounds.

25L Cardigan  
Wharf, N.  
side.

Cardigan Wharf, (north side) in addition to former grants, unexpended, twenty-five pounds.

100L do S.  
side.

Cardigan Ferry Wharf, (south side) in addition to former grants, one hundred and fifty pounds.

520L Poplar  
Island Bridge.

Poplar Island Bridge, five hundred and twenty pounds.

30L North  
Lake Bridge.

Balance of repairs North Lake Bridge, East Point, Peter McDonald, Contractor, thirty pounds.

50L Wharf  
Georgetown.

Georgetown Wharf, fifty pounds.

Wharf opposite McGee's land, Egmont Bay, 100L Wharf  
 Lot 13, in addition to subscription of fifty-eight Egmont Bay.  
 pounds, one hundred pounds.

Rustico Wharf, at Simon Peter's shore, one 100L Wharf  
 hundred pounds. Rustico.

Grand River Wharf, (north side) Lot 14, 80L Wharf  
 eighty pounds. Grand River,  
 Lot 14.

Repairing Montague Bridge, thirty pounds. £30, Mon-  
 tague Bridge.

Callow's Bridge, Tryon Road, Lot 32, one £120, Cal-  
 hundred and twenty pounds, or as much as may low's Bridge,  
 be required ; balance to be expended on other Lot 32.  
 bridges, as the Government may direct.

Mabey's Bridge, Tryon Road, one hundred £150 Mabey's  
 and fifty pounds. Bridge.

Corranban Bridge, one hundred and fifty £150, Corran-  
 pounds. ban Bridge.

Fisher's Wharf, Hillsborough River, for re- £75, Fisher's  
 pairs, seventy-five pounds. Wharf.

Appletree Wharf, Hillsborough River, in ad- £150, Apple-  
 dition to former grant, one hundred pounds. tree Wharf.

To extend Campbell's Point Wharf, Lot 48, £100, Camp-  
 one hundred pounds. bell's Point  
 Wharf.

Bridge at French Mill Creek, Georgetown £100, French  
 Road, one hundred pounds. Mill Creek  
 Bridge.

Mill River Bridge, Cascumpec, seventy-five £75, Mill  
 pounds. River Bridge.

Dogherty's Bridge, Lot 6, one hundred and £110, Dog-  
 ten pounds. herty's, Lot 6

South West Bridge, Lot 16, three hundred £300, Bridge  
 pounds. S. W., Lot 16

£50, Cooper's  
Wharf.

Cooper's Wharf, Port Hill, in addition to former grant, fifty pounds.

£100, Keir's  
Wharf.

Keir's Shore Wharf, Malpeque, to continue into the Shore, in addition to ninety-four pounds already granted, one hundred pounds.

£50, New  
Road, Lot 61.

To making New Road from Burnt Point to St. Mary's Road, Lot 61, where ordered by (Government) fifty pounds.

£27 17s. 6d.,  
to Bush  
Brackley Pt.

To bush sand beach from end of Brackley Point Road to Robertson's Island, twenty-seven pounds seventeen shillings and six-pence.

£1000, Stone  
for Roads, viz.

And the sum of one thousand pounds at the disposal of the Government, for the purpose of purchasing stone to be employed in macadamizing the Public Roads as follows, that is to say :

£500, Char-  
lottetown &  
Royalty.

Charlottetown and Royalty, five hundred pounds.

£200, George-  
town, &c.

Georgetown and Royalty, two hundred pounds.

£300, Sum-  
merside.

Summerside and vicinity, three hundred pounds.

And the following sums, at the disposal of the Government, for the following services, namely :

£250, Souris  
East Break-  
water.

For Breakwater at Souris East, to be placed under the disposal of a Committee to be appointed by the Government for that purpose, two hundred and fifty pounds.

£50, Souris  
West Break-  
water.

For Breakwater at Souris West, to be placed under the disposal of a Committee to be appointed by the Government for that purpose, fifty pounds.

For Breakwater at Cove Head Harbor, at the disposal of the Government, seventy-five pounds. £75, Breakwater at Cove Head Harbor.

And the following sums at the disposal of the Government for the following services, namely :

To the Member's for Charlottetown, to pay for stone imported last year, sixty pounds. £60, Stone imported Ch'town.

To build a stone Culvert on Spring Park Road, Charlottetown Common, and a stone Culvert upon Kensington Cross Road, from Beer's Lime Kiln, at the disposal of the Government, to be expended there or elsewhere, as they may see fit, one hundred pounds. £100, Stone Culverts near Ch'town.

And the sum of one thousand pounds placed at the disposal of the Government to deepen Tignish Run, and other works in the nature of a Breakwater thereat, to be placed at the disposal of a Committee, to be appointed by the Government for the purpose, in addition to a subscription list of three hundred and ten pounds sixteen shillings. £1000, to deepen Tignish Run.

And the following, at the disposal of the Government, for the following purposes, that is to say :

To Charles E. Stanfield, for drawback on machinery for a Woollen Mill at Tryon, eighty-two pounds three shillings and eight-pence. £82 3s. 8d., drawback C. E. Stanfield.

To pay the expenses of Contracts for Bridges and wharves let last autumn on account of the great storm, a sum sufficient. Existing contracts for Bridges, &c.

A sum sufficient, at the disposal of the Government, to pay the expenses connected with the transport of the troops stationed in Charlottetown, in the years 1865, 1866, and 1867, and the lodging expenses of the officers and others of Transport of Troops, lodging money, &c.



said troops, whilst in Charlottetown during the same period.

The following sums, at the disposal of the Government, for the following services, that is to say :

£7 10s., Beacon Light St. Peter's Bay.

To Martin McInnis, repairs to Beacon Light, St. Peter's Bay, seven pounds ten shillings.

£50, Road beyond Southport.

To improve the Main Post Road between Southport and Lot 48 Cross Roads, to be expended by the Government, fifty pounds.

£40, Hillsborough Square.

To Committee for improving Hillsborough Square, Charlottetown, forty pounds.

£50, Fire Department, Ch'town.

Fire Department, Charlottetown, in addition to former grant, fifty pounds.

£30, paint jail at Georgetown.

To paint the roof of Georgetown Jail, thirty pounds.

£10, Light at Crapaud.

Towards erecting a Light at Crapaud Harbor, ten pounds.

Additional allowances to Postmasters, viz.

And the following sums, to the undermentioned Postmasters, in addition to their allowances by statute, out of the amount voted for that purpose.

£40, Summerside.

The Postmaster at Summerside, forty pounds.

£10, Georgetown.

The Postmaster at Georgetown, ten pounds.

£10, Saint Eleanor's.

The Postmaster at St. Eleanor's, ten pounds.

£5, Princetown.

The Postmaster at Princetown, five pounds.

£5, Cascumpec.

The Postmaster at Cascumpec, five pounds.

£5, Port Hill.

The Postmaster at Port Hill, Five pounds.

£5, Tignish.

The Postmaster at Tignish, five pounds.

The Postmaster at Souris East, five pounds.	£5, Souris East.
The Postmaster at Souris West, five pounds.	£5, Souris West.
The Postmaster at Orwell, three pounds.	£3, Orwell.
The Postmaster at Cape Traverse, two pounds ten shillings.	£2 10s., Cape Traverse.
The Postmaster at Tryon, two pounds ten shillings.	£2 10s., Tryon.
The Postmaster at Bedeque, two pounds ten shillings.	£2 10s., Bedeque.

And the following sums, at the disposal of the Government, for the following services, that is to say :

Insurance and contingent expenses of Victoria Barracks, two hundred pounds.	£200, Victoria Barracks.
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And the sum of two hundred and twenty-three pounds fourteen shillings, placed at the disposal of the Government to meet the expenditure on Bridges and Wharves in Road Districts numbers three and four Prince County, including seventy-three pounds, fourteen shillings over the expenditure of last year.

And the sum of twenty-six pounds, six shillings to build a bridge and block, at Battery Point Wharf, provided a right of way be given to said Wharf.	£26 6s, Block, &c., Battery Point Wharf.
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To Commissioners for revising Laws from 1862, sixty pounds.	£60, Commissioners revising Laws.
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Daniel Gillis, Miscouche, for keeping a way office for some years past, seven pounds, ten shillings.	£7 10s., D. Gillis.
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House rent for the Professor of Prince of Wales College, thirty-five pounds.	£35, Rent for Professor P. W. College.
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£203, to  
Teachers, as  
follows.

And the sum of two hundred and three pounds, to be paid to the following persons out of the amount voted for Education, in the following proportions respectively as hereinafter mentioned, viz :

57, R. Richardson.

Robina Richardson, Teacher, Summerside, fifteen pounds.

157, E. Walsh

Ellen Walsh, Teacher, fifteen pounds.

87, J. Hunt.

Julia Hunt, St. Eleanor's, eight pounds.

57, Donald McKay.

Donald McKay, an old Teacher, five pounds.

107, J. Stewart

James Stewart, Belmont, East Royalty, ten pounds.

107, E. McKinnon.

Elizabeth McKinnon, Charlottetown, ten pounds.

57, J. H. FitzGerald.

James H. FitzGerald, Teacher, Lot 13, five pounds.

57, C. Fowle.

Charles Fowle, Lot 13, five pounds.

57, A. McKenzie.

Archibald McKenzie, West Royalty school, five pounds.

107, E. Arsenault.

Eulalie Arsenault, Egmont Bay, ten pounds.

157, L. Arsenault.

Louisa Arsenault, Lot 15, fifteen pounds.

107, Francis Buote.

Francis Buote, Teacher, Lot 1, ten pounds.

57, J. J. Arsenault.

John J. Arsenault, Lot 15, five pounds.

107, George Corbett.

George Corbett, Teacher, Charlottetown, ten pounds.

57, Alice McKenna.

Alice McKenna, Charlottetown, five pounds.

207, Bog School.

Bog school, Charlottetown, twenty pounds.

207, St. Ann's School, Ch'town.

St. Ann's school, Charlottetown, twenty pounds.

James Easton, Georgetown school, thirty 30l. J. Easton pounds.

The last eighteen preceding grants are given for this year only, and not to form a precedent for future years.

And the sum of four hundred pounds, at the disposal of the Government, for the relief of destitute persons, and idiots, and that part thereof to be disbursed by the gentlemen named in the list hereunder written, for the persons therein named.

400l. destitute persons & Idiots, as follows.

To Charles DesBrisay Esquire, the following amounts, for the following persons, that is to say :

William Kilpatrick, seven pounds ten shillings.	7l 10s., W. Kilpatrick.
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Thomas Condon, seven pounds ten shillings.	7l 10s., T. Condon.
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Patrick McCarron, (blind,) ten pounds.	10l P. McCarron.
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Patrick D. Rogers, seven pounds ten shillings.	7l 10s., P. D. Rogers.
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Mary Crutchell, ten pounds.	10l. Mary Crutchell.
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Mary Ann Wall, seven pounds ten shillings.	7l 10s., Mary Wall.
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D. Nicholson and wife, ten pounds.	10l, Nicholson & Wife.
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John Cullerton, Souris, seven pounds ten shillings.	7l 10s., J. Cullerton.
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Honora McCarthy, seven pounds.	7l. H. McCarthy.
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Atcheson Moore, eight pounds.	8l, A. Moore.
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Anne Clark, four pounds.	4l, Ann Clark
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Owen Martin, five pounds.	5l, O. Martin
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- 81, John Connolly. John Connolly, eight pounds.
- 121, P. Trainor. Patrick Trainor, twelve pounds.
- 51, W. Feure. William Feure, five pounds.
- 51, A. Tait. Andrew Tait, five pounds.
- 51, M. Martin. Mary Martin, for the relief of her idiot son, five pounds.
- 41, W. Bourke. William Bourke, four pounds.
- 51, L. Brodie. Louisa Brodie, (Stanhope,) five pounds.
- To Hon. George Coles, the following amounts, for the following persons, that is to say :
- 51, William McDonald. William McDonald, Lot 48, five pounds.
- 51, T. Curtis. Thomas Curtis, Tracadie, five pounds.
- 51, M. Ready. Michael Ready, Tracadie, five pounds.
- 51, Henry D. Tyson. Henry D. Tyson, five pounds.
- 21, Anne Hillsgrrove. Anne Hillsgrrove, two pounds.
- 41, E. Power. Elizabeth Power, Covehead, four pounds.
- 21, Widow Bennett. Widow Bennett, two pounds.
- 51, P. McKinnon. Patrick McKinnon, Savage Harbor, five pounds.

To Mrs. P. Walker, the following sums, for the following persons, that is to say :

- 71 10s., Ann Dogherty. Ann Dogherty, seven pounds ten shillings.
- 71 10s., M. O'Connell. Maria O'Connell, seven pounds ten shillings.

To the Hon. Francis Kelly, the following sums, for the following persons, that is to say :

Patrick Woods, six pounds.

6l, P. Woods.

Widow of Patrick Trainor, (drowned,) six pounds.

6l, Widow Trainor.

Catherine Bickerstaff, ten pounds..

10l. Catherine Bickerstaff.

John King, Lot 35, three pounds.

3l, J. King.

And a sum of five pounds to the Rev. A. Trudelle, for the relief of Fidelle A. Marquett.

£5, Fidelle Marquett.

And the sum of three pounds to the Rev. A. Campbell, for the relief of Widow McIntosh, Strathalbyn.

£3, Widow McIntosh.

And a sum of five pounds to E. Kichham, Esquire, for the relief of John O'Donnell.

£5, Jane O'Donnell.

To F. Brecken, Esquire, the following sums, for the following persons, that is to say :

Jane Carter, three pounds.

£3, Jane Carter.

Ann Manly, three pounds.

£3, Ann Manly.

And the sum of three pounds to James Reddin, Esquire, for the relief of James Flood.

£3, J. Flood.

And the sum of three pounds to James Reddin, Esquire, for the relief of John Connolly.

£3, J. Connolly.

And the sum of three pounds to Richard Hudson, Esquire, for the relief of Newton Lee.

£3, Newton Lee.

And to the Hon. Joseph Hensley, the following sums, for the relief of the following persons, that is to say :

Widow McLure, five pounds.

£5, Widow McLure.

Nancy McDonald, Bear River Road, five pounds.

£5, Nancy McDonald.

£5, Widow  
McRae.

Widow McRae, five pounds.

£3, Widow  
McNeill.

Widow Mary McNeill, three pounds.

£8, Widow  
Harding's son

£2 10s.,  
Widow Kelly.

And a sum of eight pounds to the Hon. George Beer, towards the support of Widow Harding's idiot son; and to the same, two pounds ten shillings, for Widow Kelly and family.

£6, Mary  
Kelly and  
children.

And a sum of six pounds to His Lordship the Chief Justice, towards the support of Mary Kelly and idiot children.

£5, H. Robin-  
son.

And a sum of five pounds to the Hon. R. P. Haythorne, for the relief of Hannah Robinson.

£5, Griffin  
family.

And a sum of five pounds to the Hon. J. Wightman, for the relief of the Griffin family; Three Rivers.

And to Anthony McCormack, Esq., the following sums, for the following persons, that is to say :

£2, Angus  
Wilson.

Angus Wilson, Cardigan Road, two pounds.

£5, D. Mc-  
Donald.

Donald McDonald and Wife, five pounds.

£2, P. Kir-  
wan.

Patrick Kirwan, St. Peter's, two pounds.

£4, R. Mc-  
Neill.

Roderick McNeill, St. Peter's Bay, four pounds.

And to the Hon. George W. Howlan, the following sums, for the following persons, that is to say :

£3, F. Cahill.

Thomas Cahill, Kildare, three pounds.

£15, Bernard  
& family.

John Bernard and family, fifteen pounds.

£12, McDon-  
ald family.

McDonald's family, Lot 1, twelve pounds.

Joseph Ahearn, Lot 3, three pounds. £3, J. Ahearn

Widow Isabella Martin, three pounds. £3, Isabella Martin.

John Richard Rufus, three pounds. £3, J. R. Rufus.

And to Herbert Bell, Esq., the following amounts, for the following persons, that is to say :

Jacob Hayden, five pounds. £5, J. Hayden

Mrs. Blampied, two pounds. £2, Mrs. Blampied.

Widow Ahearn, Lot 4, two pounds. £2, Widow Ahearn.

Mrs. Kelley, Cascumpec, two pounds. £2, Mrs. Kelly.

Joco Gallant, for the relief of Celeste Perry, (an idiot) one pound ten shillings. £1 10s., C. Perry.

And a sum of three pounds to David Ramsay, Esq., for the relief of Widow Brown, Lot 9. £3, Widow Brown.

And a sum of three pounds to David Ramsay, Esq., for the relief of Thomas Dunn, Lot 7. £3, T. Dunn.

And a sum of two pounds to J. O. Arseneault, for the Relief of Paul Arseneaux. £2, Paul Arseneaux.

And a sum of twelve pounds to George Sinclair, Esq., for the relief of William Doolan and Elizabeth Doolan, Fermoy Settlement. £12, Wm. & Elizabeth Doolan.

And a sum of three pounds to Peter Sinclair, Esq., for the relief of Mary McSwain. £3, Mary McSwain.

And a sum of three pounds to Charles Harding, Esq., for the relief of Widow John McDougall. £3, Widow McDougall.



£3, Mrs.  
Hetheridge.

And a sum of three pounds to the Hon. Benjamin Davies, for the relief of Mrs. Hetheridge.

£3, Mrs.  
Wolfe.

And a sum of three pounds to the Hon. J. Wightman, for the relief of Mrs. Wolfe.

£1 10s., Wm.  
Gormley.

And a sum of one pound ten shillings to the Hon. J. Wightman, for the relief of William Gormley, Brown's Road.

£3, Mary  
Pearn.

And a sum of three pounds to F. Brecken, Esq., for the relief of Mary Pearn.

£3, Christina  
Doyle.

And a sum of three pounds to F. Brecken, Esq., for the relief of Christina Doyle.

£5 14s, bury-  
ing M. Davies

Edward Mullins, for burying M. Davies, (a pauper) five pounds fourteen shillings.

£3, Widow  
Ross.

And a sum of three pounds to Malcolm McLean, New London, for the relief of Widow Catherine Ross.

£2, D. Currie.

And a sum of two pounds to the Hon. Benjamin Davies, for the relief of Donald Currie, Lot 58.

£1 6s., J.  
Connolly.

And a sum of one pound six shillings to the Hon. A. Laird, for the relief of James Connolly, Lot 27.

£133, addi-  
tional, for des-  
titute persons,  
&c., as follows

And a further sum of one hundred and thirty-three pounds at the disposal of the Government, for the relief of destitute persons and idiots, and that out of the same, and the unappropriated amounts of the former grants of four hundred pounds for the same object, the sums set forth in the Schedule hereunder, be paid to the several persons named therein for the purpose, to be disbursed by the gentlemen herein named.

A sum of two pounds to Isaac Clarke, Esq., £2, C. McNeill.  
for the relief of Catherine McNeill.

And a sum of one pound to Edward Reilly, £1, R. Duke.  
Esq., for the relief of Robert Duke.

And a sum of one pound to Edward Reilly, £1, Mary A.  
Esq., for the relief of Mary Ann Mitchell. Mitchell.

And a sum of one pound to Edward Reilly, £1, Mary  
Esq., for the relief of Mary McPhee. McPhee.

And a sum of two pounds to E. Kickham, £2, Michael  
Esq., for the relief of Michael McDonald. McDonald.

And a sum of six pounds to John Yeo, Esq., £6, burial W-  
for expenses burying William Ritchie, (pauper.) Ritchie.

And a sum of three pounds to John Yeo, £3, Widow  
Esq., for the relief of Widow McKinnon. McKinnon.

And a sum of four pounds to James Kinley, £4, Widow  
for the relief of Widow Cain. Cain.

And a sum of one pound to Dr. Jenkins, for 11, Margaret  
the relief of Margaret Higgins. Higgins.

And a sum of fifteen pounds to Charles Des- 151, Lydia  
Brisay, Esq., for the relief of Lydia McKinnon. McKinnon.

And a sum of one pound ten shillings to 11 10s., Mrs.  
Dr. Jenkins, for the relief of Mrs. Purcell. Purcell.

And a sum of one pound ten shillings to 11 10s., Mrs.  
Doctor Jenkins, for the relief of Mrs. Greenan. Greenan.

And a sum of one pound ten shillings to 11 10s., Mrs.  
Doctor Jenkins, for the relief of Widow Mc- McCarron.  
Carron.

And a sum of two pounds ten shilling to the 21 10s., J.  
Hon. George Coles, for the relief of Jeremiah Bryant.  
Bryant.

51, Flora and  
Christy Mc-  
Leod.

And a sum of five pounds to the Rev. A. Munro, for the relief of Flora and Christy McLeod.

31, J. Ryan.

And a sum of three pounds to Hon. George Coles, for the relief of John Ryan.

41, D. Martin.

And a sum of four pounds to the Rev A. Campbell, for the relief of Donald Martin.

41, Catherine  
Matheson.

And the sum of four pounds to M. Campbell, Lot sixty-one, for the relief of Catherine Matheson.

51, Daniel  
Fitzpatrick.

And a sum of five pounds to Alexander Robertson, for the relief of Daniel Fitzpatrick.

21, Alex.  
McLeod.

And a sum of two pounds to John McDougall, for burying Alex. McLeod.

21 10s., Peter  
Richard.

And a sum of two pounds ten shillings to J. O. Arsenault, Esquire, for the relief of Peter Richard, Lot fifteen.

21 10s., Ger-  
trude Gallant.

And a sum of two pounds ten shillings to J. O. Arsenault, Esquire, for the relief of Gertrude Gallant, Lot 15.

21 10s., F.  
Gallant.

And a sum of two pounds ten shillings to J. O. Arsenault, for the relief of Francis Gallant, Lot 15.

21 10s., Rich-  
ard & Wife.

And a sum of two pounds ten shilling to J. O. Arsenault, for the relief of Lemant Richard and wife, Lot 17.

11 10s., B.  
McCormack.

And a sum of one pound ten shillings to Edward Reilly, Esquire, for the relief of Bridget McCormack, Lot forty.

21, Noel  
Thomas.

And a sum of two pounds to Edward Reilly, Esquire, for the relief of Noel Thomas (indian,) for blind son.

And a sum of two pounds ten shillings to Edward Reilly, Esquire, for the relief of Sarah Fields, Lot thirty-nine, for idiot son. 2l 10s., Sarah Fields.

And a sum of five pounds to Hon. Kenneth Henderson, for the relief of Widow Campbell. 5l, Widow Campbell.

And a sum of two pounds to W. S. McNeill, Esquire, for the relief of James Gaudet. 2l, J. Gaudet.

And a sum of two pounds to W. S. McNeill, Esquire, for the relief of Widow Blacquier. 2l, Widow Blacquier.

And a sum of two pounds to W. S. McNeill, Esquire, for the relief Joseph Gautier. 2l, J. Gautier.

And a sum of two pounds to the Hon. Joseph Hensley, for the relief of —Griffin, (lame man.) 2l, Griffin.

And a sum of two pounds to E. Kickham, Esquire, for the relief of Thomas Devereaux. 2l, Thomas Devereaux.

And a sum of two pounds to E. Kickham, Esquire, for the relief of Archibald McDonald. 2l, A. McDonald.

And a sum of two pounds ten shillings to the Hon. George Coles, for the relief of Widow Paul. £2 10s., Widow Paul.

And a sum of two pounds ten shillings to the Hon. George Coles, for the relief of Widow Stewart. 2l 10s., Widow Stewart.

And a sum of three pounds to the Hon. Geo. Coles, for the relief of Thomas Landrigan. 3l, Thomas Landrigan.

And a sum of three pounds to Hon. George Beer, for the relief of Mary Nicholson. 3l, Mary Nicholson.

And a sum of two pounds to Richard Hudson, Esquire, for the relief of Henry Leahy. 2l, H. Leahy.

5*L*, Thomas Hearn.

And a sum of five pounds to Hon. Mr. Balderston, for the relief of Thomas Hearn.

5*L*, Thomas Reynolds.

And a sum of five pounds to William Clements, Esquire, for the relief of Thomas Reynold's idiot children.

3*L*, Patrick McQuaid.

And a sum of three pounds to Hon. Mr. Balderston, for the relief of Patrick McQuaid, Lot thirty.

£3, James Mullins.

And a sum of three pounds to Francis Kelly, Esquire, for the relief of James Mullins.

£3, McKay's family.

And the sum of three pounds to P. Sinclair, Esquire, for the relief of McKay's family, (New London.)

£400, extra trips Ferry Ch'town.

And the sum of four hundred pounds, at the disposal of the Government, for the following purpose, namely :—

Contractor for Charlottetown Ferry, for extra trips during present season.

£3000, to enable destitute persons to purchase seed grain.

And the sum of three thousand pounds, at the disposal of the Government, to be advanced in sums not exceeding four pounds to any one individual, to parties whose circumstances of destitution are such, that they cannot obtain or purchase sufficient seed grain for their farms, the same to be divided as follows :

£900, thereof to each County. £300 in hands of Government.

Nine hundred pounds to each County, and three hundred pounds in the hands of the Government to meet special cases and emergencies, one or more Committees to be appointed in each road district, to whom shall be entrusted the distribution of the amount allowed to the district.

Re-payment of monies ad-

The repayment of the several sums advanced, to be secured by joint notes, payable to the

public Treasurer, with interest at six per centum per annum, on the first day of December next, and the several amounts when due, to be payable to such person or persons as the Government from time to time shall appoint.

vanced to be secured by note, &c.

The Lieutenant Governor in Council, if they think fit, may raise the said sum of three thousand pounds by issuing debentures chargeable on the public funds of this Island, payable at such time as the Government shall appoint, bearing interest at a rate not exceeding six per cent. per annum.

Amount may be raised if necessary by Government Debentures.

The said sum to be distributed in each County to assist destitute persons in purchasing seed grain, shall be divided between the several road districts in each County as follows :

Division of Seed Grain between Road Districts as follows :

### QUEEN'S COUNTY.

Queen's County.

First road district, Lots 20 and 21, seventy-seven pounds fifteen shillings and six-pence.

1st District, £77 15s. 6d.

Second road district, Lots 22 and 67, seventy-seven pounds fifteen shillings and six-pence.

2nd do., £77 15s. 6d.

Third road district, Lots 23 and 24, ninety-five pounds.

3d do., £95.

Fourth road district, Lots 33 and 34, sixty pounds.

4th do., £60.

Fifth road district, Lots 29 and 30, seventy-seven pounds fifteen shillings and eight-pence.

5th do., £77 15s. 8d.

Sixth road district, Lots 31 and 32, seventy pounds.

6th do., £70.

Seventh road district, Lots 35, 36 and 37, north of Hillsborough, eighty-six pounds thirteen shillings and four-pence.

7th do., £86 13s. 4d.

8th do., £86      Eighth road district, Lots 35, 36 and 48,  
13s. 4d.      and that part of Lot 37 south of the Hills-  
borough River, eighty-six pounds thirteen shil-  
lings and four-pence.

9th do., £83      Ninth road district, Lots 49 and 50, sixty-  
6s. 8d.      three pounds six shillings and eight-pence.

10th do., £80.      Tenth Road District, Lots 57 and 58, eighty  
pounds.

11th do., £90.      Eleventh Road District, Lots 60 and 62,  
ninety pounds.

13th do., £35.      Thirteenth Road District, Lot 65, thirty-five  
pounds.

King's Con'ty

# KING'S COUNTY.

1st District,      Road District No. 1, Lots 38 and 39, ninety  
£90.      pounds.

2nd do., £80.      Road District No. 2, Lots 40 and 41, eighty  
pounds.

3d do., £85½      Road District No. 3, Lots 42 and 43, eighty-  
five pounds.

4th do., £90.      Road District No. 4, Lots 44 and 45, ninety  
pounds.

5th do., £80.      Road District No. 5, Lots 46 and 47, eighty  
pounds.

6th do., £80.      Road District No. 6, Lots 55 and 56, eighty  
pounds.

7th do., £90      Road District No. 7, Lots 53 and 54, ninety  
pounds.

8th do., £100.      Road District No. 8, Lots 51, 52 and 66,  
one hundred pounds.

1868.

31st VICTORIA.

Cap. 7.

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Road District No. 9, Lots 59 and 61, one 9th do., £100.  
hundred pounds.

Road District No. 10, Lots 33 and 64, eighty 10th do., £80.  
pounds.

Road District No. 11, comprising part of Lot 11th do., £25,  
53, and Georgetown and Royalty, twenty-five  
pounds.

### PRINCE COUNTY.

Prince  
County.

District No. 1, Lots 1, 2 and 3, one hundred 1st District,  
pounds. £100.

District No. 2, Lots 4, 5 and 6, one hundred 2d do., £100  
pounds.

District No. 3, Lots 7, 8, and 9, one hundred 3d do., £100.  
pounds.

District No. 4, Lots 10, 11 and 12, one 4th do., £100.  
hundred pounds.

District No. 5, Lots 15 and 16, one hundred 5th do., £100.  
pounds.

District No. 6, Lot 19, sixty-four pounds. 6th do., £64.

District No. 7, Lot 18, fifty pounds. 7th do., £50.

District No. 8, Lots 25 and 26, sixty-four 8th do., £64.  
pounds.

District No. 9, Lots 27 and 28, sixty-four 9th do., £64.  
pounds.

District No. 10, Lots 13 and 14, one hundred 10th do., £102  
and two pounds.

District No. 11, Lot 17, fifty-six pounds. 11th do., £56.

And a sum not exceeding thirty pounds, at £30, to man-  
the disposal of the Government, as remuneration ager of Seed  
grain money.



of the person whom the Government shall appoint to manage the business of remitting the seed grain moneys to the various Committees, and corresponding with them and keeping the accounts.

£75, to Speaker, and £30 each to Members of House of Assembly, &c.,

And a sum sufficient out of the amount voted for the contingent expenses of the House of Assembly, to pay the Speaker of the House seventy-five pounds, and each member of the House thirty pounds each, for their attendance during the present session, together with their travelling expenses, in coming to and returning from the Legislature.

£75, to President, and £30 each to Members of Legislative Council

And a sum of seventy-five pounds to the President of the Legislative Council, and thirty pounds to each of the members of the said Council, for their attendance during the present session, together with their travelling expenses, as allowed to members of the House of Assembly, in coming to and returning from the Legislative Council, the same to be paid out of the amount voted for the contingent expenses of the Legislative Council.

## CAP. VIII.

25, Geo. 3,  
C. 6, and 24  
Vic., cap. 28.

**An Act to repeal the Acts now in force, establishing and regulating the rate of Interest, and to make some provisions on the same subject.**

[Passed April 24th, 1868.]

Preamble.

**WHEREAS** the Laws establishing and regulating the rate of Interest, have of late years been materially relaxed, in so far as the same relate to loans or forbearance of money upon all other securities, except those upon Lands, Tenements or Hereditaments, or any Estate or Interest therein. And whereas it is

desirable that the distinction between the rates of Interest allowed to be taken upon the security of Lands, and other securities, should be abolished, and that in order to induce as much as possible the influx of capital into this Island, the various restrictions heretofore placed upon the rate of Interest, should be abolished. Be it therefore enacted by the Lieutenant Governor, Council and Assembly, as follows:—

I. That the Statute, Twenty-fifth George the Third, Chapter Six, intituled An Act for establishing the rate of Interest, and also the Statute Twenty - fourth Victoria Chapter Twenty-eight, intituled An Act to exempt certain Bills of Exchange, Promissory Notes, Contracts and Agreements from the operation of the laws relating to usury be, and the same are hereby respectively repealed.

Repeals  
Statutes, 25,  
Geo. 3, C. 6,  
24 Vic. C. 28.

II. Provided always, nevertheless, that no person shall be entitled to claim or recover in any Court of Law or Equity, more than Six Pounds per centum per annum interest on any account, or on any contract or agreement, unless it shall appear to the Court that any different rate of Interest was agreed to in writing between the parties.

No greater  
rate than 6  
per cent. per  
annum allow-  
ed on contract,  
&c., unless  
agreement in  
writing.

III. And provided always, that nothing herein contained, shall prejudice or affect the rights or remedies of any person, or diminish or alter the liabilities of any person in respect of any act done previously to the passing of this Act.

Existing  
rights, &c..  
protected.

IV. Where interest is now payable upon any contract heretofore made, express or implied, for the payment of the legal or current rate of Interest, or where, upon any debt or sum of money, interest is now payable by any rule

Rate of inter-  
est on con-  
tracts hereto-  
fore made,  
still recover-  
able.

of law, the same rate shall be recoverable as if this Act had not been passed.

Act to commence on 15th April, 1870.

V. This Act shall come into operation on the fifteenth day of April, in the year of our Lord one thousand eight hundred and seventy.

## CAP. IX.

### An Act to prevent accidents to persons travelling on the Ice in this Island.

[Passed April 24th, 1868.]

Preamble.

**W**HEREAS, parties in search of mussel-mud, and for other reasons, make holes or openings in the ice on the various Bays, Rivers and Creeks in this Island, and it is necessary for the prevention of accidents to persons travelling on such ice, to cause such holes or openings to be marked as hereinafter mentioned: Be it enacted by the Lieutenant Governor, Council and Assembly, as follows:—

Persons opening ice to procure Mussel-mud, to mark same by placing bushes, &c., in manner defined.

I. From and after the passing of this Act, any person or persons who shall make or cut holes or openings in the ice on any of the bays, rivers, creeks or inlets in this Island, for the purpose of procuring mussel-mud, or for any other reason or purpose whatsoever, shall mark such holes or openings by placing bushes at or immediately beside or adjoining the same, in such way and manner as to attract the attention of persons travelling on the ice of such bays, rivers, creeks and inlets. The bushes placed around any such opening to be not more than ten feet apart, or less than six feet in height, and in order, as much as possible, to warn persons so travelling that there is a hole or opening at or near such bushes.

Penalty for breach of this Act.

II. Any person or persons making holes or openings in the ice on any bay, river, creek or

## CAP. XL.

**An Act for the Incorporation of Societies for the sale and distribution of Seed Grain on credit.**

[Passed April 24th, 1868.]

**W**HEREAS certain persons in this Island Preamble.  
 have formed themselves into clubs or societies for the sale and distribution of seed grain on credit, to persons not having the means of procuring the same at seed time, and it is necessary that such clubs or societies as are now formed, or may hereafter be formed for the said purposes, be incorporated from time to time, as such clubs may be formed: Be it therefore enacted by the Lieutenant Governor, Council and Assembly, as follows:—

I. Societies or clubs, for the sale of seed grain, on credit, as aforesaid, may be formed by any number of persons, not less than nine in number. Societies to sell Seed Grain on credit may be formed.

II. The persons forming, or having formed any such society, shall make and severally sign a certificate or minute, which shall contain the name of the society, the names of the members thereof, and their respective residences, the quantity of grain each party has respectively contributed, or intends to contribute, and that the society is formed for the purpose mentioned in this Act. And the said certificate or minute shall be registered in the office of the Prothonotary, or Deputy Prothonotary of the Supreme Court for the County where the principal place of business of the society is held. Members of Society to sign certificate of name of society, &c. Certificate to be registered in Prothonotary's Office, &c. in the County.

III. No such society shall be deemed to be formed until a certificate or minute containing the particulars mentioned in the last preceding section set forth, signed by the members thereof, before a Justice of the Peace, be registered Society not to be deemed established until registry of certificate, &c.

in the office of the Prothonotary or Deputy Prothonotary of the Supreme Court as aforesaid, in a book to be kept for that purpose, and which shall be open to public inspection.

Notice of formation of Society, to be published in Royal Gazette

IV. Notice of the formation of such society shall be published in the *Royal Gazette* newspaper of this Island, for at least three insertions, signed by at least three members of said society, and such society shall thenceforth be deemed in operation, and incorporated with the powers and authority hereinafter mentioned.

On registry of certificate, Society to be incorporated with usual powers of corporation, &c.

V. On the due registry of said certificate or minute, executed and attested as aforesaid, the persons named in such certificate or minute, as well as all future members of such society, shall be, and they are hereby declared a body corporate, and shall have perpetual succession and a common seal, and the name of such society set forth in such certificate or minute as aforesaid, shall be the corporate name of such society or body corporate, and the said society shall in such name sue and be sued, implead and be impleaded in any Court of law or equity, and be for ever capable in the law to purchase, receive, possess and enjoy to them and their successors any goods and chattels whatsoever, and to act in all the concerns of the said body corporate, for the business or purposes for which it is hereby constituted as aforesaid, and also, that any such society, so formed as aforesaid, shall from time to time, and at all times hereafter, have full power and authority to make and ordain such by-laws, rules and regulations as may be deemed necessary for the good rule and government thereof, and for the management and transaction of the affairs and business of the said society, provided that such by-laws, rules and regulations be not repugnant to the laws of this Island or this Act.

May make bye laws, &c.

inlet in this Island, without marking the same as in the last preceding section provided and directed, shall forfeit and pay a fine not exceeding two pounds, nor less than ten shillings and costs of prosecution, to be recovered, on the oath of one credible witness, before any Justice of the Peace for the County where the offender or offenders may reside, which said fine, if not paid within six days after the same shall have been adjudged to be paid by such Justice, be levied on the goods and chattels of the person or persons offending, and in default of such goods and chattels, or goods and chattels sufficient to pay the fine and costs adjudged as aforesaid, such Justice of the Peace shall commit the said offender or offenders to Jail, by warrant, in the usual form, under his hand and seal, for such period as such Justice shall ordain, not exceeding one calendar month.

How penalty  
to be recover-  
ed, &c.

III. One half such fine or penalty shall, if recovered, be paid into the Treasury of this Island, for the use of Her Majesty's Government, and the other half to the person prosecuting the offender.

Appropriation  
of penalty.

## CAP. X.

2 William 4.

An Act to amend and explain the Act passed in the second year of His Majesty King William the Fourth relating to the celebration of marriages, so far as the same relates to the Bible Christian Church.

[Passed 24th April, 1868.]

**B**E it enacted by the Lieutenant Governor, Council and Assembly, that every Clergyman or minister of the sect of Christians known as Bible Christians, or the Bible Christian Church, upon producing to the Lieutenant Governor or other Commander-in-Chief for the time being, satisfactory proof of his appoint-

Minister of  
Bible Chris-  
tian Church,  
on proof of his  
appointment,  
&c., and on  
receipt of cer-  
tificate from  
Lt. Governor,  
to have power

to solemnize  
marriages, &c.

Under license  
or on publi-  
cation of  
banns.

And such  
Minister may  
also solemnize  
marriage ac-  
cording to  
forms, &c., of  
Bible Chris-  
tian Church.

All marriages  
heretofore  
solemnized by  
Ministers of  
Bible Chris-  
tian Church,  
and the issue  
of such mar-  
riages, con-  
firmed.

Provided not  
within degrees  
of consan-  
guinity pro-  
hibited by  
Imperial Act,  
22 Henry 8.

ment, ordination or constitution, and that he is actually employed by the said denomination or sect, and receiving a certificate to that effect under the hand and seal of the Lieutenant Governor or Commander-in-Chief for the time being, shall hereafter have power and authority to solemnize marriage either by license from the Lieutenant Governor, or after publication of banns in his church, chapel or other place of public worship, on three successive Sundays during divine service. Provided always, that nothing herein contained shall extend, or be construed to extend, to prevent any Clergyman or Minister regularly ordained, or appointed according to the rules and regulations of the said Bible Christian Church, and having spiritual charge of a congregation within this Island, from solemnizing marriage according to the forms of the said Bible Christians, or Bible Christian Church, without having obtained such certificate as is hereinbefore mentioned.

II. All marriages which have been heretofore solemnized within this Island, by any Clergyman or Minister of the said Bible Christian Church, or the said sect of Bible Christians, either by virtue of license from any Lieutenant Governor or Commander-in-Chief of this Island, or by publication of banns, or otherwise, where the parties so married have cohabited together, shall be, and the same are hereby declared to be legal and valid, and the issue of all such marriages are hereby made legitimate to all intents and purposes whatsoever, providing the parties so married shall not have been within the degrees of kindred prohibited by the Imperial statute passed in the thirty-second year of King Henry the Eighth, intituled *An Act concerning precontracts and touching degrees of consanguinity.*

measures or counsel, or in order to put any force or constraint upon, or in order to intimidate or overawe, the General Assembly of this Island, or either branch of the Legislature, or to move or stir any foreigner or stranger with force to invade the United Kingdom or any other of Her Majesty's dominions, or this Island, under the obedience of Her Majesty, Her heirs or successors, and such compassings, imaginations, inventions, devices or intentions, or any of them, shall express, utter or declare, by publishing any printing or writing, or by open and advised speaking, or by any overt act or deed, every person so offending shall be guilty of felony, and, being convicted thereof, shall be liable to be imprisoned for any term not exceeding fourteen years, with or without hard labor, as the court shall direct.

Every offender to be guilty of felony.

Punishment.

III. Provided always, and be it enacted, that no person shall be prosecuted for any felony by virtue of this act in respect of such compassings, imaginations, inventions, devices or intentions as aforesaid, in so far as the same are expressed, uttered or declared, by open and advised speaking only, unless information of such compassings, imaginations, inventions, devices and intentions, and of the words by which the same were expressed, uttered or declared, shall be given, upon oath, to one or more Justices of the Peace within six days after such words shall have been spoken, and unless a warrant for the apprehension of the person by whom such words shall have been spoken, shall be issued within ten days next after such information shall be given as aforesaid, and that no person shall be convicted of any such compassings, imaginations, inventions, devices or intentions as aforesaid, in so far as the same are expressed, uttered or declared by open or

Limitation of time as to prosecution of persons for offences under this Act.



advised speaking as aforesaid, except upon his own confession, in open court, or unless the words so spoken shall be proved by two credible witnesses.

Any number of offences under this Act may be charged in the same indictment.

Not to affect enactments of imperial statute, 25 Edward the 3d.

IV. It shall be lawful in any indictment for any felony under this act, to charge against the offender any number of the matters, acts or deeds by which such compassings, imaginations, inventions, devices or intentions as aforesaid, or any of them, shall have been expressed, uttered or declared: Provided always that nothing herein contained shall lessen the force of, or in any manner affect, any thing enacted by the Imperial statute, passed in the twenty-fifth year of King Edward the third, a declaration which offences shall be adjudged treason.

If facts alleged in indictment amount to Treason, same not to be void or party to be acquitted, &c.

V. Provided also and be it enacted that if the facts or matters alleged in an indictment for any felony under this act, shall amount in law to treason, such indictment shall not, by reason thereof, be deemed void, erroneous or defective, and if the facts or matters proved on the trial of any person indicted for any felony under this act, shall amount in law to treason, such person shall not, by reason thereof, be entitled to be acquitted of such felony, but no person tried for such felony shall be afterwards prosecuted for treason upon the same facts.

Principals in second degree & accessories before and after fact, how punished.

VI. In the case of any felony punishable under this act, every principal in second degree and every accessory before the fact, shall be punishable in the same manner as the principal in the first degree is by this act punishable, and every accessory after the fact to any such felony shall, on conviction, be liable to be imprisoned with or without hard labor for any term not exceeding two years.

VI. At the expiration of thirty days from the due registry of such certificate or minute as aforesaid, and from time to time thereafter, as may be determined by the by-laws of such society, the members thereof, so registered, shall hold a meeting at a time and place to be notified by at least three members of such society, for the election of officers, the enactment of by-laws and regulations, the admission of new members and the transaction of such business as may be necessary for putting the said society in effective operation.

Meetings of members for election of officers, &c.

VII. No more than the share or quantity of grain belonging to each member in such society shall be liable to be attached or taken in execution for the debts of any member of such society; Provided always, that when such share or quantity does not exceed twenty bushels, it shall not be so liable to be attached or taken in execution as aforesaid, nor in any case shall any greater amount of the share of any one shareholder be taken in execution or attached than the surplus amount of his share over and above twenty bushels, thus always allowing to each shareholder to retain twenty bushels in the fund.

Only share of each member liable to be taken under execution against him, and 20 bushels of his share, &c., be always free from such execution.

VIII. Any quantity of grain delivered out on credit by such society, or the authorized agent or officer thereof, may be sued for in any Court for the recovery of small debts in this Island, in the same way and manner as small debts are now recovered under the laws of this Island relating to small debts, and conformable to any by-law or laws, rules or regulations of the said society, not inconsistent with this Act or the laws of this Island.

Grain given out to be recovered by suit in Small Debt Court, &c.

IX. It shall be lawful for the said society to acquire and hold lands and immovable or real

Society may hold property

to extent of  
£1000, &c.

and personal property, provided that the real estate to be held by the said society, shall at no time exceed in value the sum of one thousand pounds, and it shall be lawful for the said society to sell, lease, or otherwise dispose of the said property and estate as they may see fit.

Prothono-  
tary's fee for  
certificate and  
Registry.

X. The Prothonotary or Deputy Prothonotary shall be entitled for registering the certificate aforesaid, to a fee of one shilling for every hundred words, and for a certificate of such registry the sum of two shillings and three-pence.

## CAP. XII.

**An Act for the better security of the Crown and Government of the United Kingdom within this Island.**

[Passed April 24, 1868.]

**BE** it enacted by the Lieutenant Governor, Council and Assembly, as follows:—

Repeals. 29  
Vic, Cap. 9.

I. The Act of the General Assembly of this Island passed in the twenty-ninth year of the reign of Her present Majesty Queen Victoria, Chapter nine, shall be, and the same is hereby repealed.

Definitions of  
offences with-  
in this Act.

II. If any person whatsoever, after the passing of this act, shall, within this Island, compass, imagine, invent, devise, or intend to deprive or depose Our Most Gracious Lady the Queen, Her heirs or successors, from the style, honor, or royal name of the Imperial Crown of the United Kingdom, or of any of Her Majesty's dominions and countries, or to levy war against Her Majesty, Her heirs or successors, within any part of the United Kingdom, or within any other of Her Majesty's dominions or countries, or this Island, in order, by force or constraint, to compel Her or them to change Her or their

## CAP. XIII.

**An Act to empower the Government of Prince Edward Island to expend Ten thousand pounds in the purchase of Lands within the said Island.**

[Passed 24th April, 1868.]

**B**E it enacted by the Lieutenant Governor, Council and Assembly that it shall and may be lawful for the Lieutenant Governor, by and with the advice of Her Majesty's Executive Council, at any time and from time to time, after the passing of this act, to purchase Lands in this Island, to the amount of ten thousand pounds, of the lawful money of the said Island, and to pay for any lands so purchased such price per acre as the said Lieutenant Governor in Council may deem advisable, notwithstanding that such price shall exceed the price or sum per acre as limited by and mentioned in the act of the sixteenth Victoria, Chapter eight.

Government empowered to expend £10,000 in purchasing lands, at such price as they deem advisable.

16 Vic. Cap. 18

**II.** All lands purchased under the provisions of this act shall (except with regard to the price per acre to be paid therefor) be purchased, held, paid for, sold, transferred, and in all respects dealt with and managed in the same way and manner as lands purchased under the provisions of the said recited act or any act in amendment thereof, and as if the same (except as to price as aforesaid) were purchased thereunder.

Lands so purchased to be held, transferred, &c., according to provisions of land purchase Bill, &c.

## CAP. XIV.

**An Act to amend the act for the due observance of the Lord's Day.**

20 Geo. 3, Cap. 3.

[Passed April 24, 1868.]

**W**HEREAS the first section of the twentieth George the Third, Chapter three, intitled "An Act for the due observance of the

Preamble.

Lord's Day," contains a provision permitting the sale of fresh fish before the hour of nine o'clock in the morning and after five o'clock in the afternoon, on the Lord's Day, and it is deemed expedient to repeal such provision. Be it therefore enacted by the Lieutenant Governor, Council and Assembly as follows :—

Sale of Fish  
on the Lord's  
day prohibit-  
ed under pen-  
alty as im-  
posed by 2nd  
section of 20  
Geo. 3, Cap. 3.

I. From and after the passing of this Act, it shall not be lawful for any person or persons whomsoever, in this Island, to sell or vend fish of any kind or description at any hour on the Lord's Day, and any person who shall so sell fish on the Lord's Day shall be subject to the same penalty as is imposed by the second section of the said recited act for the offences therein mentioned, and the said penalty shall be recovered and applied as in the said second section mentioned and directed.

## CAP. XV.

### An Act for the relief of Unfortunate Debtors.

[Passed April 24th, 1868.]

**B**E it enacted by the Lieutenant Governor, Council and Assembly, as follows :—

Debtor owing  
more than  
£100, may  
apply to com-  
missioners,  
&c., and file  
petition stat-  
ing his prop-  
erty, debts,  
&c.

I. When any debtor shall be owing debts to the amount of one hundred pounds or upwards, and unable to pay the same, he may apply by petition, to the Judge or Commissioner in Insolvency hereinafter referred to, setting forth upon oath in his application, a full statement of his real and personal property, assets, and liabilities, the names and residences of his creditors, and the sum due to each of them, the nature of each debt, and whether founded on written security or otherwise.

Lt. Governor  
to appoint  
commissioner  
of insolvent  
court.

II. It shall be lawful for the Lieutenant Governor in Council, to appoint a fit and proper person to be Commissioner of the Insolvent

Court, to be established under this Act, who shall receive as a remuneration for his trouble, the several fees ordained by this Act to be paid to him, and which Commissioner shall have power and jurisdiction as in this Act hereinafter set forth.

III. The Lieutenant Governor in Council shall also appoint a Clerk to the said Insolvent Debtors' Court, and such Clerk when duly appointed shall be sworn for the due and faithful performance of the duties of his office, and for his services he shall be allowed such fees as are hereinafter mentioned, and whose designation of office shall be "Clerk of the Insolvent Debtors' Court," and the Commissioner and the Sheriffs of the different Counties shall be paid the fees set forth in schedule of fees hereunto annexed.

Also a clerk to insolvent court. Who shall be sworn to discharge his duty, &c.

Fees of Commissioner and Sheriffs.

IV. The Clerk, upon such petition being filed, shall call a meeting of the creditors of such debtor, to be held before the said Commissioner, and shall give three months Public Notice, as in schedule (A), thereof, in the *Royal Gazette* newspaper, therein specifying the time, place and object of such meeting, and copies of the said *Gazette* shall be forwarded through the General Post Office to the creditors of the said debtor.

Clerk to call meeting of creditors before commissioner, and give notice thereof in *Royal Gazette*

V. Upon any debtor filing any such statement as aforesaid, the said Commissioner shall nominate a fit and proper person as assignee of the estate of the said debtor, and upon the consent of such assignee being obtained, the debtor shall execute in duplicate to such assignee, an assignment of his estate and effects, both real and personal, in the form as in schedule (B) to this Act annexed, one copy whereof shall be retained and filed by the Clerk and

Commissioner on filing statement by debtor, to nominate Assignee of Estate.

Form of assignment to be executed by debtor.

the other copy thereof shall be delivered to, and kept by the said assignee.

Assignment to  
vest debtor's  
property in  
Assignee, &c.

VI. The execution of such assignment shall vest in the assignee all the property and effects of the said debtor, whether real or personal, in as full and ample a manner as the said debtor held and possessed the same previously to his filing such petition as aforesaid, together with all his deeds, books and papers relating thereto, and shall also vest absolutely in such assignee, all stock or preferential shares in any incorporated company, and shall entitle the said assignee to receive the dividends thereof, and also to assign such stock to any person to whom he as such assignee may sell or dispose of the same by Public Auction, after advertising the same for at least ten days previous to the sale, in some newspaper published in this Island.

Payment by  
party indebted  
to debtor  
to any but As-  
signee, after  
notice, to be  
void, &c.

VII. If any person indebted to, or having the possession or control of any property of such debtor, shall after such assignment and publication of notice thereof as aforesaid, pay any debt, or deliver or dispose of any property to any person but the assignee to be appointed as hereinbefore mentioned, such payment or transfer shall be deemed fraudulent, and such person shall be liable for the same, or the value thereof to the assignee, and all sales or conveyances of property, and all assignments of debts, or rights of action by the debtor after such publication, shall be void; but sales and levies made under any execution issued out of any Court before such publication, shall not be affected by this Act, but the provisions of this section shall not extend, or apply to any case where the composition offered by the debtor shall be accepted as hereinafter mentioned.

Proviso as to  
sales under  
execution be-  
fore publica-  
tion of notice  
of assignment.

Commissioner  
to preside at

VIII. The said Commissioners shall preside at the meeting of the creditors, and after proof

of the notice required by the fourth section of this Act, which proof shall be, by producing an affidavit of the said Clerk, of the publication of such notices, and posting the same as aforesaid, the petition of the said debtor shall then be exhibited to the creditors, together with the said assignment, and the said debtor may then be examined under oath, by any creditor, his agent or attorney, or person interested, as to the subject matter of such application, and the state of his affairs, which examination, as also that of any creditor or witness produced, shall be taken down in writing by the said Clerk and filed with him, and the minutes of the proceedings shall be entered in a book kept by him for that purpose, and such meeting may be adjourned from time to time as often as occasion may require.

creditor's  
meetings.

Debtor may  
be examined  
and his state-  
ments taken  
down in writ-  
ing.

IX. Any person named in the petition filed by the debtor, and claiming to be a creditor, may be required to prove his debt; and debts not due at the time of the meeting, may be treated as payable upon a rebate or discount of interest.

Creditor may  
be required to  
prove his  
claim, &c.

X. The debtor, creditor, or any person interested, may obtain from the Clerk a subpoena in the form as in schedule (C), directing the parties therein named, to appear before the said Commissioner upon a day therein named, and (if occasion shall require) to produce any books, papers or documents, as may be required, and the parties served with copies thereof, shall obey such subpoena, and shall be entitled to receive the like fees as witnesses in the Supreme Court, and in case any of the parties named in such subpoena, and being served with copies thereof, do not obey subpoena, the said Commissioner shall upon an affidavit of the facts, upon motion to be made by Counsel be-

Subpoenas  
may be had to  
compel at-  
tendance of  
witnesses and  
production of  
books, &c.

Fees of wit-  
nesses.

Who shall be  
liable to at-  
tachment for  
non-attend-  
ance.



fore him, issue an attachment (D) against such parties, returnable before him upon a day therein to be named, and shall upon enquiry, inflict such punishment by fine or imprisonment, and payment of the costs of the application, as he may deem fit and proper.

If debtor in jail, &c., commissioner may issue order to bring him before him for examination, &c.

Sheriff of County where debtor confined, to obey order at the place of sitting of Commissioners not in his County.

Certificate to free from arrest to be granted in certain cases.

Debtor may be held to bail if creditor swears he believes he is about to abscond.

XI. If the debtor shall be a prisoner confined for debt in any jail or the limits of any jail at the time appointed for the meeting, the said Commissioner may make an order (E) directed to the Sheriff of the County wherein the debtor may be confined, to bring such debtor before him, and such Sheriff shall not only be not liable to any action for obeying such order, but in case the said debtor shall be in custody in any County other than Queen's County, the Sheriff in whose County the said debtor may be confined, shall by such order be compelled to bring such debtor before the said Commissioner although the said place of meeting may be beyond the jurisdiction, or out of the bailiwick of such Sheriff, and such debtor shall be remanded forthwith to the custody of the Sheriff of Queen's County, who shall be bound to receive him and place him in Queen's County Jail. Provided always that the said Commissioner may, upon application of the said debtor at the time of the filing of his said petition, and executing such assignment as aforesaid, grant to the said debtor a certificate (F) protecting from arrest from thenceforth for the space of four calendar months.

XII. If any creditor or person interested in the estate of the said debtor shall produce an affidavit that he the said creditor or person interested has probable cause for believing and does believe that the debtor is about to leave the Island for the purpose of absenting himself from such examination of his creditors, it shall

be lawful for the said Commissioner to grant a Fiat (G) suspending the protection hereinbefore directed to be given to the said debtor, until he shall enter into a bond (H) with two good and sufficient sureties, in such amount as the said Commissioner may direct, payable to the assignee, his executors or administrators, conditioned, that the said debtor shall not leave the Island at any time during the continuance of his said protection, and upon such bond being filed by the Clerk, the said Clerk shall endorse upon the said protection granted to the said debtor, a memorandum that such bond has been duly executed and filed in accordance with the terms of the said fiat. Provided always that no fiat shall be granted on more than one occasion against the same debtor.

Debtor then to give bond for appearance.

Only one order for arrest against a debtor to be made.

XIII. Upon any breach of the condition of any such bond, the assignee shall have an action thereon and shall recover the full amount of the penalty thereof with costs, which penalty when recovered shall form part of the debtor's estate.

Assignee on breach of condition may sue on bond.

XIV. If any debtor who has received such certificate of protection shall be arrested upon any civil process, the Commissioner shall order his discharge from custody. Provided always that nothing herein contained shall exempt any debtor from imprisonment under an attachment for contempt of any Court.

Protected debtor to be discharged if arrested.

Proviso as to attachment for contempt.

XV. The Debtor may at any such meeting offer a composition to his creditors, and if such composition be accepted by a majority of such creditors in number and amount of the creditors then present, (whose debts have been duly proved or allowed) or their agents duly authorised, a deed or instrument in writing, setting forth the terms and conditions of such composition, shall then and there be entered into between

If debtor offers and creditors accept composition, commissioner to reassign Estate on security being given, &c.

such debtor and the said creditors, and such composition shall be paid within one year, and shall be secured by the bond of the debtor, with one or more sufficient sureties, to the satisfaction of the said Commissioner, and the said bond shall be filed, and the assignee shall immediately thereupon re-assign the said estate to the debtor in form (I).

Assignee to be sworn and give notice of his appointment.

XVI. The assignee shall upon his acceptance of his appointment, be sworn to the faithful discharge of his duty in form (K) and shall forthwith give notice of his appointment in form (L) in the *Royal Gazette* newspaper, which said notice shall be advertised for at least three calendar months.

Assignee at once to realise Estate, and divide amongst creditors under direction of commissioner, &c.

XVII. The assignee shall without delay proceed to convert the real estate and moveable personal estate of the debtor into money by selling the same at public auction, after such advertisement thereof in the *Royal Gazette* newspaper as the Commissioner shall in each case direct, and the assignee shall also collect the debts, and shall have the like remedies to recover all such estate debts and effects in his own name as the debtor might have had if no assignment had been made, and also under the direction of the Commissioner, shall distribute the proceeds thereof (after deducting all costs and expenses) amongst the creditors in proportion to their respective debts or claims, and he shall enter in a proper book an account of all his transactions, which book shall be open at all times to the inspection of any creditor or person interested in the estate, free of charge.

Book of account to be kept and be open to inspection.

Assignee may sell any part of Estate and employ brokers, agents, &c

XVIII. The assignee may at any time under the direction of the Court, direct any part of the debtor's estate to be sold by public auction, and for that purpose may employ a Commission Merchant, Auctioneer or Broker, and the assignee

may also by power of Attorney, under his hand and seal, appoint any person to receive the money due and owing to debtor's estate.

XIX. The assignee shall not be liable to any involuntary losses, nor for the loss or destruction of any property not in his custody or under his control, and in all actions commenced by him under this Act, he shall in addition to his name be described assignee of A. B., an insolvent debtor, and in all actions commenced against him for any matters connected with, or relating to the debtor or his estate under this Act, he shall at the time of his appearing to any writ, summons or process served upon him, cause to be delivered to the plaintiff's Attorney, a notice to the effect that he defends the said suit as "assignee of A. B., an insolvent debtor," and he shall thereafter in all subsequent proceedings, be described in addition to his name as "assignee of A. B., an insolvent debtor."

Assignee not liable for involuntary losses.

How Assignee shall sue or defend in actions.

XX. In case any judgment for any cause of action which has arisen since the filing of any such petition, (except for any debt or sum of money due by the insolvent) shall be recovered against any assignee, as such assignee, he shall not be personally liable therefor, or for the costs of such suit, but the same shall be paid out of the said insolvent's estate, and the Supreme Court shall transmit to the said Commissioner a certificate that such judgment has been recovered against the assignee, as "assignee of A. B., an insolvent debtor," which certificate shall also specify the amount of judgment and costs, and the said Commissioner shall thereupon direct the payment of such judgment and costs, by the assignee, out of the insolvent estate.

Judgment recovered against Assignee to be paid out of Estate.

Certificate of judgment to be sent by Supreme Court to commissioner, &c.

XXI. If at the time of the execution of the assignment, an action is pending in any Court

Actions pending in debtor's

name at date  
of assignment  
to be con-  
tinued in  
name of as-  
signee, &c.

in the name of the debtor, for the recovery of any debt or other or any cause of action, matter or thing, the suit shall not abate, but the assignee shall cause application to be made to the Judge of the Court in which such action is pending, who shall order that the assignee be admitted to further prosecute such suit or action, and shall further order that from thenceforth in all subsequent proceedings, the name of the assignee shall be inserted as the assignee of the said plaintiff or insolvent debtor, and such notice thereof shall be given to the defendant's Attorney, as the said Court shall see fit to direct.

Limitation of  
actions  
against As-  
signee.

XXII. All actions commenced against an assignee who shall be entitled to defend as such, shall not be commenced against him after the expiration of six months after the cause of action arose against him.

When As-  
signee may  
defend action  
in his official  
capacity.

XXIII. An assignee shall always be entitled to defend any action as such when he acts in any matter believing that as such assignee he was empowered so to act.

Debtor may  
apply to com-  
missioner for  
order nisi for  
discharge.

XXIV. Upon an execution of the composition, or after the meeting of creditors, whereat their several debts shall be proved or admitted, the debtor may apply to the said Commissioner for an order, (M), that unless cause be shown on a certain day, the said debtor will be discharged from all his debts contracted before the said meeting, except the said composition, which order shall be published in the *Royal Gazette* for four successive weeks previous to the day appointed therein for showing cause.

Order to be  
published in  
*Royal Gazette*

Commissioner  
may make  
order absolute  
for debtors  
discharged  
unless cause  
shown, &c.

XXV. It shall be the duty of the said Commissioner, unless sufficient cause be shown to the contrary by any of the creditors of such debtors, such as fraud, undue preference, insufficient proof of any claims, want of full disclosure

of his estate, or that the said debtor did, within three months previous to the filing of his petition, or after the commencement of any proceedings by any creditor against him, pawn, pledge or dispose of, other than by *bona fide* transactions in the ordinary way of his trade, any of his goods, chattels, lands, tenements, moneys or effects, or of due publication of notice of any of the meetings of creditors, or other substantial irregularity, to make an order (N) under his hand and seal, discharging such debtor from all his debts contracted before the meeting of creditors, except the said composition, in cases where a composition has been accepted, as provided by the fifteenth section of this Act, provided that the expenses attending the procuring such certificate shall be first paid by the debtor.

Proviso that expense of obtaining certificate be first paid.

XXVI. The order for discharge shall be registered at full length by the Clerk, with the other proceedings, and a certificate or examined copy thereof shall be evidence of such order and of the proceedings of such meetings in all Courts.

Order for discharge to be registered, certified copy to be evidence; &c.

XXVII. If the name of any creditor shall be omitted from the statement filed, as provided by the first section of this Act, such creditor may, at any time within six months after the first publication of the notice of the meeting, give to the assignee the particulars of his debt, with notice of his intention, on a day to be therein named, to prove the same before the said Commissioner, and if such debt shall be proved to the satisfaction of such Commissioner, such party shall be entitled to participate with the other creditors under the composition or assignment, as the case may be, and in no case shall the estate of the debtor be distributed among the creditors until after the expiration of six months from the first publication of such notice as aforesaid.

Where creditor's name omitted in debtor's statement, he may apply to prove claim, and on proof be allowed share of Estate.

Debtor may retain Furniture, &c., to extent of £25,

**XXVIII.** Any debtor may retain wearing apparel, household furniture and the tools or implements of his trade or calling, to the value of twenty-five pounds in the whole, and the same shall not pass by the deed of assignment.

If debtor, in contemplation of insolvency, make preferential transfer or payment, same to be void.

**XXIX.** If any debtor, in contemplation of insolvency, shall, before the execution of the deed of assignment hereinbefore mentioned and provided for, make any payment or transfer, to give a fraudulent preference to any creditor, such payment or transfer shall, as to his other creditors, be void, and the assignee may recover from the person so preferred, the amount of such payment or the value of property so transferred, or the property itself, provided such person, when accepting such preference, had reasonable cause to believe the said debtor made such payment or transfer with intent to give a fraudulent preference.

Proviso.

Creditors may obtain order and sue on composition bond, &c.

**XXX.** Any person interested may apply to the said Commissioner, who, upon sufficient cause shewn, may make an order to put in suit the bond given to secure the payment of the composition agreed upon, which order shall vest in the creditor a right to bring an action on the bond in his own name, and recovery may be had to the amount of the composition secured to such creditor, and such bond may be put in suit at the instance of any other creditor as often as is necessary, provided that the several amounts to be recovered shall not exceed the penalty of the said bond, and the successful party shall also recover the costs taxed by the proper officer.

Proviso.

Certified copy of bond and order to be evidence.

**XXXI.** A certified copy of the bond and of the Commissioner's order, certified by the Clerk, shall be evidence of such bond and order respectively in all Courts.

Debtor making false state-

**XXXII.** If any debtor shall wilfully make any false statement of his affairs in his petition

filed as aforesaid, or secrete or conceal any property belonging to his estate, or part with, cancel, alter, mutilate or falsify, or cause to be cancelled, altered, mutilated or falsified, any bond, deed, document or writing relating thereto, or remove, or cause to be removed the same or any part thereof, or so dispose thereof with intent to prevent it from coming into the possession of the assignee, or to hinder, impede or delay him in recovering or receiving the same, or shall make any payment, gift, sale, assignment, transfer or conveyance of any property belonging to his estate, with the like intent, or shall, with intent to defraud, wilfully and fraudulently conceal from his assignee, or omit from his schedule any property or effects whatsoever, or if, in case of any person having, to his knowledge or belief, proven a false or fictitious debt against his estate, he shall fail to disclose the same to his assignee within one month after its coming to his knowledge or belief thereof, or shall attempt to account for any of his property by any fictitious losses or expenses, or shall, within three months before the commencement of proceedings under this Act, make the false colour and pretence of carrying on business and dealing in the ordinary course of trade, obtain on credit from any person, any goods or chattels with intent to defraud, or shall, within three months next before filing his petition as aforesaid, pawn, pledge or dispose of, otherwise than by *bona fide* transaction in the ordinary way of his trade, any of his goods or chattels which have been obtained on credit and remain unpaid for, he shall be guilty of *amisdeemeanor* and, upon conviction thereof before the Supreme Court, shall be imprisoned for a period not exceeding two years.

XXXIII. The discharge granted to the said debtor, under the provisions of the twenty-fifth section of this Act, shall be held to free the

Discharge to  
free debtor  
from all lia-



bility for  
debts, &c.

Not to affect  
mortgages,  
Judgments or  
bills of sale,  
&c., as regards  
property spe-  
cially secured  
thereby.

Debtor still  
liable on cov-  
enants.

But not liable  
to arrest on  
mortgages, &c.

said debtor from all liability for, or in respect of all debts due by him at the time of the filing of his said petition as aforesaid; provided always, that nothing herein contained shall be held or construed to change, alter or vary, or in any manner to affect any mortgage, judgment, or bill of sale (except such as may be deemed fraudulent as hereinbefore provided for) given or executed by, or obtained against the debtor, and duly entered, registered, or filed in the proper offices, so far as they respect any real or personal estate then owned by the said debtor, nor shall anything herein contained be construed to release the debtor from the performance of any covenant for further assurance; but no debtor shall, after obtaining such discharge, or while holding any certificate of protection, be arrested upon such judgment, mortgage or bill of sale, or any document or security executed before the filing of his said petition.

20 days notice  
of action to be  
given to As-  
signee.

XXXIV. No person shall be entitled to maintain any action against any assignee for anything done by him, as such assignee, without previously giving him twenty days' notice of such action, specifying the cause thereof, to the end that such assignee may have an opportunity of tendering amends, should he see fit so to do.

Commissioner  
on sufficient  
cause may re-  
move Assignee  
and appoint  
another.

Former As-  
signee to as-  
sign on pain  
of attachment

XXXV. The said Commissioner, after due notice to the assignee, and hearing cause, may remove him for any cause which in the judgment of the Court renders such removal necessary or expedient, and such assignee shall execute a conveyance to the person selected by the Commissioner to fill the vacancy caused by the removal of such assignee, and in case of refusal so to do, the said Commissioner shall

issue an attachment (D) against him, directed to the Sheriff of Queen's County.

XXXVI. In the case of the death of any assignee his executors or administrators shall execute to the assignee appointed by the said Commissioner in his place, a conveyance of the debtor's estate, upon pain of an attachment issuing against such executors or administrators.

Executors of deceased Assignee to convey to the new Assignee.

XXXVII. Any assignee may, by and with the consent of the Commissioner, resign his office, and shall execute an assignment of the debtor's estate to the person selected by the Commissioner to fill the vacancy occurring by such resignation.

Assignee may resign and convey to successor.

XXXVIII. Any assignee appointed in the room or place of an assignee dying, removed from office, or resigning his trust, shall have the same power and rights and authorities as if originally appointed assignee in manner hereinbefore mentioned.

Assignee so appointed to have full power, &c.

XXXIX. The said Commissioner shall have the power of punishing by fine or imprisonment, or both, any contempt shown to him, or any officer of the said Court, and shall make such order and direct such proceedings to be had as shall to him in his discretion seem meet.

Commissioner may punish for contempt of court.

XL. The assignee shall be allowed and may retain out of the moneys in his hands, all the necessary disbursements made by him in the discharge of his duty, and such reasonable compensation for his services as the said Commissioner in his discretion shall, with regard to the circumstances of each case, permit and allow.

Assignee to be allowed for disbursements and his own trouble.

XLI. The Sheriffs of the different Counties shall be aiding and assisting the said Commissioner, and shall execute and obey all documents

County Sheriff to execute commissioner's orders, &c.

and orders transmitted and directed to him by the said Commissioner through the Clerk, and shall make due returns of their doings therein.

Act not affect  
crown debts or  
distress for  
more than one  
year's rent.

**XLII.** This Act shall not apply to debts due to the Crown, nor restrain any landlord from distraining for arrears of rent, not exceeding one year's rent.

Commissioner  
may regulate  
practice by  
rules, &c.

**XLIII.** The said Commissioner shall have power to make rules and orders, and settle the practice of all proceedings and form of all documents not herein provided for, and such rules, when signed by the Commissioner, shall have the same force and effect as if they constituted a portion of this Act.

How proceed-  
ings to be en-  
titled.

**XLIV.** All proceedings before the said Commissioner, under this Act, or in anywise relating thereto, shall be entitled "In the Court of Insolvent Debtors." In re A. B., an insolvent debtor.

Clerk may be  
removed at  
any time.

**XLV.** The said Commissioner may at any time, in his discretion, remove the Clerk and appoint another Clerk in his place.

Commissioner  
may appoint  
persons to  
take affidavits.

**XLVI.** The said Commissioner shall appoint under his hand and seal, Commissioners for the purpose of taking affidavits in all matters necessary to be done under this Act, and such affidavits shall have the same effect as if sworn to before the said Commissioner or the Clerk.

Meaning of  
words "Com-  
missioner,"  
"Clerk," &c.

Whenever the words "Commissioner," or "Commissioner in Insolvency" occur in this Act, they shall be held to mean the Judge or Commissioner of the Insolvent Court established by this Act, and the word "Clerk" shall be held to mean the Clerk of the Insolvent Debtors Court, appointed under this Act.

Forms in  
Schedules to

**XLVII.** The several forms in the Schedule contained and referred to by corresponding

letters of the Alphabet, or forms to the like effect, shall be sufficient for the purposes of this Act; provided that such forms, or any one of them, may be altered or wholly set aside by the Commissioner, and other forms issued by him in lieu thereof, if he deem it necessary to carry out the provisions of this Act, and such new or altered forms shall be entered by the Clerk in a book for that purpose, and signed by the said Commissioner.

be sufficient unless altered by Commissioner.

XLVIII. If any person shall consider himself aggrieved by any order or judgment of the said Commissioner, he may appeal to the then next sitting of the Supreme Court of Judicature of this Island, to be holden at Charlottetown; provided always, that such appeal shall be applied for within ten days next after giving of the said order or judgment, and the Clerk on such application is hereby required to enter the same in the Register or Record Book of the said Insolvent Debtors Court.

Party aggrieved by judgment of Commissioner, may appeal to Supreme Court.

If appeal applied for within a certain time, &c.

XLIX. The party appellant shall, before the expiration of the said ten days, by himself or his agent, enter into a bond with two sufficient sureties (who shall be made to justify if required) before the said Commissioner, in the form in the Schedule to this Act annexed, marked (O), conditioned, as therein set forth, to abide the judgment of the said Supreme Court, which condition shall be read over by the said Clerk to the parties, before execution, and shall be attested by the Clerk, and by him transmitted to the Supreme Court, with all papers and documents relating to the matter in question, in manner hereinafter provided.

Appellant to enter into appeal bond.

Form, &c., of Bond.

L. The party appellant or his agent shall also cause to be published in the *Royal Gazette*

Appellant to publish notice of appeal in

Gazette ten  
clear days be-  
fore Supreme  
Court sits, &c.

newspaper of this Island, ten clear days at least before the sitting of the Supreme Court at which the said appeal is to be heard, a notice of appeal in the form the said Commissioner shall direct; provided that when the then next sitting of the Supreme Court in Charlotte-town, within ten days next after the granting of any such appeal, or so soon that notice of appeal cannot be published in the said *Royal Gazette* within ten days before the first day of such Court, then such appeal shall be granted and notice published in the said *Royal Gazette* for the then next sitting of the said Supreme Court; provided that no more than ten days notice of appeal shall in any case be necessary.

Supreme  
Court to hear  
appeal, &c.,  
and give final  
judgment.

LI. The said Supreme Court is hereby required and empowered upon any appeal made as aforesaid, to cause all defects of form in the original order or judgment to be amended, and shall then proceed to hear, examine and consider the truth and merits of all matters concerning the said appeal, and the original order or judgment appealed from, and likewise to examine all witnesses and parties upon oath, and to hear all other proofs relating to the matter, and to make such final order or decision thereon, as to the said Supreme Court shall appear to be in accordance with the provisions of this Act.

Clerk of In-  
solvent Court  
to file appeal  
papers in  
office of Clerk  
of Supreme  
Court.

LII. The Clerk of the said Insolvent Debtors Court shall, within at least ten clear days before the sitting of the Supreme Court, at which such appeal is to be heard, file in the office of the Clerk of the Supreme Court the said Appeal Bond, together with all other papers and documents relating to the matter in question, under a penalty for each and every neglect, of the sum of fifty pounds to the person aggrieved, to be recovered in the said Supreme Court.

LIII. The Supreme Court shall award to the successful party on such appeal, the full costs of such appeal, and such costs when taxed as in other costs in the Supreme Court, shall be recoverable in the same way and manner as interlocutory costs may now be recovered in the Supreme Court; provided that when such costs are awarded against any appellant, such costs shall be recoverable against such appellant and his sureties in the same way and manner as costs are directed to be recovered against an appellant and his sureties in cases of appeal, under the Act of the twenty-third Victoria Chapter sixteen, relating to the recovery of Small Debts; provided that the said Supreme Court may order the costs either of the appellant or respondent on such appeal, to be paid or recoverable by attachment or otherwise, as the said Supreme Court may direct, anything herein contained to the contrary notwithstanding. If the judgment or decision of the Commissioner shall be confirmed by the said Supreme Court on appeal as aforesaid, and such judgment so confirmed shall be in favor of the debtor, then the Supreme Court shall make such order therein, granting to the debtor his certificate of discharge, or otherwise, as the position and circumstances of the case shall require, on the debtor complying with the provisions of this Act.

Supreme Court may award costs on appeal under certain rules and regulations.

And grant discharge or otherwise, according to circumstances.

LIV. In cases of appeal from the Commissioner's judgment or decision, the term of protection (mentioned in the certificate of protection hereinbefore directed to be granted by the said Commissioner to debtors) shall be extended until after the decision of the Supreme Court on any appeal, and the said Commissioner shall in cases of appeal, and on the request of any debtor, endorse on the original certificate of protection, a memorandum to that effect,

Form of Protection to hold good till appeal determined, and be endorsed on certificate.

Except where debtor is stated to be about to leave the Island.

and the said debtor shall thereupon be entitled to protection from arrest until after such final decision; provided that any creditor may cause the debtor to give security for such extended term of his protection, if he shall make it appear that such debtor is about to leave the Island, as hereinbefore in the twelfth section of this Act mentioned and provided.

Appeals to be consolidated where more than one taken out by Creditors.

LV. If more than one creditor shall appeal against the decision of the Commissioner, the parties appellant shall consolidate their appeals under the order of the Commissioners, in such way and manner as he shall deem for the interest of all parties, and most calculated to save costs and expenses to them.

How Act to be cited.

LVI. This Act shall be cited as "The Unfortunate Debtors Act, 1868."

Act to commence 1st Nov., 1868.

LVII. This Act shall commence and go into force and operation on the first day of November next.

Continuance of Act.

LVIII. This Act shall continue and be in force for the space of five years from the passing thereof, and from thence to the end of the next Session of the General Assembly and no longer.

Schedule A.

(A.)

In the Court of Insolvent Debtors.  
In re A. B., an Insolvent Debtor.

Notice of application of debtor for relief, &c.

Notice is hereby given, that on application of A. B., of in the County of in Prince Edward Island, made to his Honor the Commissioner in Insolvency, pursuant to "The Unfortunate Debtors Act, 1868." I do, by his honor's directions, hereby appoint the day of next at in Charlottetown, at o'clock in the forenoon (or as the case may be) as the time and place for a meeting of the creditors of the said A. B., for the purpose of examining into the state of his affairs, and considering the terms of a compromise to be offered by him under the said Act.

Dated the day of 18.

G. D.

Clerk of the Insolvent Debtors Court.

(B.)

Schedule B.

These presents made the      day of      Anno Domini  
 one thousand eight hundred and      , between A. B.,  
 of      in Prince Edward Island, an insolvent debtor, of  
 the one part, and      of      in the said Island as-  
 signee of the said A. B.      Witnesseth that the said  
 A. B., for the purposes and trusts of the Unfortunate  
 Debtors Act, 1868, hereby grants and assigns all his  
 estate and effects, both real and personal, unto the said  
 assignee as aforesaid, in like manner as the said A. B.  
 could, but for this assignment, hold and possess the  
 same. In witness whereof the said parties have here-  
 unto their hands and seals subscribed and set the day  
 and year first above written.

Assignment  
 by debtor to  
 Assignee.

A. B. (L. S.)

(Assignee's name) (L. S.)

Schedule of property above conveyed.

No 1.

Real Estate, (description)

Leasehold      (do.)

No 2.

(Here particularly specify personal property.)

No 3.

Debts due the said A. B., specifying the amounts  
 and what are and how secured.

(C.)

Schedule C.

Prince Edward Island, )  
 Queen's County,      )  
                                  to wit.

Victoria by the Grace of God  
 of the United Kingdom of  
 Great Britain and Ireland,  
 Queen, defender of the Faith.

Subpoena or  
 Summons to  
 testify.

[L. S.]

To

We command you that you appear before us in our  
 Insolvent Court at      in Charlottetown on      the  
 day of      at the hour of      o'clock      noon of the  
 same day, to testify what you know, or to produce  
 (      ) and all other papers and documents (as the  
 case may be), in re A. B., an insolvent debtor.

Hereof fail not under pain of attachment to issue  
 against you.

(Commissioner.)

Witness.

A Charlottetown this      day of      A. D., 18

C. D.

Clerk of Insolvent Debtors Court.



## Schedule D.

Attachment  
for contempt  
in not obeying  
Subpœna, &c.

Prince Edward Island, }  
Queen's County, } Victoria by the Grace of God  
of the United Kingdom of  
Great Britain and Ireland,  
Queen, defender of the Faith.

Commissioner's Signature.

[L. S.]

To the Sheriff of Queen's County, greeting.

Attach and bring him before us in our Insolvent Debtors Court in Charlottetown, on the day of at the hour of o'clock noon, to answer for a contempt in disobeying an order made by his Honor (the Commissioner in Insolvency in said Court) requiring the said to give evidence (as the case may be,) in re A. B., an insolvent debtor.

Witness (name) (The Commissioner.)

This day of A. D. 18

C. D.

Clerk of Insolvent Debtors Court.

## Schedule E.

Warrant to  
bring up In-  
solvent.

Prince Edward Island, }  
Queen's County. } In re A. B., an Insolvent  
Debtor

[L. S.]

Commissioner's Signature.

To the Sheriff of County.

I command you to bring the said A. B. before me at in Charlottetown, on the day of at o'clock in the noon, to be dealt with as I shall direct.

Witness. (The Commissioner's name.)

At Charlottetown the day of 18

C. D.

Clerk of the Insolvent Debtors Court.

## Schedule F.

Form of pro-  
tection to in-  
solvent debtor

Prince Edward Island, }  
Charlottetown, }  
to wit.

In re A. B., an insolvent Debtor.

Know all men, that I do hereby, under and by virtue of "The Unfortunate Debtors Act, 1868," grant unto A. B., of in Prince Edward Island, an insolvent debtor, protection from arrest under any process or execution issuing in any civil suit against him out of any court in this Island, and this protection shall continue until the expiration of four calendar months from the date hereof, unless suspended by order of the Com-

missioners as directed in and by "The Unfortunate Debtors Act, 1868."

Given under my hand and seal this      day of  
A. D. 18

E. F.

[L. S.]

Commissioner of the Insolvent Debtors Court.

(G.)

Prince Edward Island, }  
Queen's County, }  
to wit.

Schedule G.

Suspension of  
protection till  
bond entered  
into.

In re A. B., an insolvent debtor.

The certificate of protection granted to the said insolvent debtor is hereby suspended until the said insolvent shall enter into a bond with two sufficient sureties as directed by the      section of the Unfortunate Debtors Act, 1868.

Dated this      day of      A. D. 18

E. F.

Commissioner of the Insolvent Debtors Court.

(H.)

Schedule H.

Know all men by these presents that      of      are jointly and severally held and firmly bound unto (assignee) his executors, administrators or assigns, in the sum of      of lawful money of the said Island, to be paid to the said (assignee), his executors, administrators or assigns, for which payment well and truly to be made we bind ourselves, our and each of our heirs, executors and administrators, jointly and severally, firmly by these presents, sealed with our seals and dated the      day of      one thousand eight hundred and      .

Bond that  
debtor shall  
not depart  
from the Is-  
land, &c.

Whereas protection from arrest hath been granted to the above named A. B., an insolvent debtor, for four calendar months from the date of his said protection, the condition of the above bond or obligation is such, that if the said A. B. shall not depart from this Island at any time during the said four months mentioned in his certificate of protection, then the above written bond shall be void, but otherwise shall remain in full force.

Signed, sealed and delivered in the presence of

(I.)

Schedule I.

I      assignee of A. B., an insolvent debtor, do hereby re-assign unto the said A. B., all the property, real or personal, debts and effects whatsoever, mentioned in the schedule hereunder written, or hereto annexed, so that the same shall be held by the said A. B. in the same way and manner, and as fully and com-

Re-assign-  
ment to debt-  
or by Assignee

pletely as he possessed and was entitled to the same before he assigned the same to me.

As witness my hand and seal this      day of      A.  
D. 18

G. H. (L. S.)  
Assignee.

Schedule K.

(K.)

Oath to be  
taken by As-  
signee.

I assignee of A. B., an insolvent debtor, do swear that I will faithfully and honestly deal with the estate of the said insolvent in all matters relating thereto, in the manner most conducive to the interest of his creditors, to the best of my knowledge and ability, and that I will render a just and true account thereof on oath when thereto required by the Commissioner of the Insolvent Debtors Court of this Island, and that I will as far as in my power, obey all orders to be made by the said Commissioner therein.

(Signature of Assignee.)

Sworn this      day of      A. D. 18      before me.  
Commissioner or Clerk of Insolvent Debtors Court.

Schedule L.

(L.)

Notice by As-  
signee of his  
appointment.

Prince Edward Island, }  
Charlottetown, }  
to wit.

In re A. B., an Insolvent Debtor.

Notice is hereby given to all parties concerned, that I have been this day appointed assignee of A. B., an insolvent debtor, in terms of the "Unfortunate Debtors Act, 1868," and do hereby require all persons having any property of the said insolvent debtor, or being in any way indebted to him, to deliver and pay the same to me.

Dated this      day of      A. D.

J. K.

Assignee of A. B., Insolvent Debtor.

Schedule M.

(M.)

Order Nisi for  
discharge of  
insolvent  
debtor.

Prince Edward Island, }  
Queen's County, }  
to wit.

In re A. B., an Insolvent Debtor.

Unless cause be shown to the contrary on the day of      at      in Charlottetown, the above named A. B. will be discharged, under and by virtue of the provisions of the Unfortunate Debtors Act, from all debts contracted by him prior to his application for the benefit of the said Act.

Dated      day of      A. D. 18

E. F.

Commissioner of the Insolvent Debtors Court

(N.)

Schedule N.

Prince Edward Island, }  
 Charlottetown, }  
 to wit. }

Know all men that A. B., of County, in the said Island, an insolvent debtor, is hereby, by virtue of the Unfortunate Debtors Act, 1868, released and for ever discharged from all debts and claims contracted by him on or before the day of A. D. 18

Order final &  
 absolute for  
 debtor's dis-  
 charge.

Given under my hand and seal this day of A. D. 18

G. H.

Commissioner of the Insolvent Debtors Court  
 of Prince Edward Island.

(O.)

Schedule O.

## APPEAL BOND.

Appeal bond.

Prince Edward Island, }  
 Queen's County. }

In re A. B., an Insolvent Debtor.

C. D. is delivered to bail to prosecute his appeal at the sitting of the Supreme Court, to be holden at Charlottetown on the day of next (or instant.)

To

E. F. of in

And G. H. of in

We, E. F. and G. H. do jointly and severally undertake, that if C. D., the above named appellant, be condemned in the appeal in this matter and judgment shall be given against him by the Supreme Court, he or they shall satisfy the costs of such appeal, or we will do it for him. This we do severally acknowledge and undertake.

Taken and acknowledged before me, } E. F.

Clerk of Insolvent Debtors Court. } G. H.

(P.)

Schedule P.

## NOTICE OF APPEAL.

Notice of ap-  
 peal.

Prince Edward Island, }  
 Queen's County. }

In re A. B., an Insolvent Debtor.

Notice is hereby given, that an appeal has been entered by the undersigned against the judgment of the Commissioner of the Insolvent Debtors Court, in this matter, and that such appeal is made to, and will be heard by, the Supreme Court to be held at Charlottetown on the day of next, A. D. 18

Dated the day of A. D. 18

L. M.  
 Appellant.

## Table of fees.

Commissioner's fees.

## TABLE OF FEES.

## COMMISSIONER'S FEES.

£. s. d.

Oath,	0	1	0
Presiding at every meeting,	2	6	8
Attachment, protection or other documents signed by him,	0	2	6

## Clerk's fees.

## CLERK'S FEES.

Administering oath,	0	1	0
Filing any document,	0	1	0
Notice of meeting and copies,	0	3	4
Every document signed by him as Clerk,	0	2	6
Attending every meeting,	0	6	8
Entering all proceedings in book per folio of 90 words,	0	2	0
Copies of all proceedings when required per folio	0	1	0
Each certificate,	0	1	0

## Sheriff's fees.

## SHERIFF'S FEES.

For bringing up debtor from Queen's County jail,	0	2	6
Mileage per mile,	0	0	8

## CAP. XVI.

## An Act for shortening the language of Sheriffs' Deeds.

[Passed April 24, 1868.]

## Preamble.

**W**HEREAS the number of statutes relating to the execution of deeds of land sold by Sheriffs under execution for the payments of debts is very great, and the recital of such statutes in such deeds tends to great prolixity and unnecessary expense :

Sheriff's Deed need not recite titles of Acts under which it may be executed.

I. Be it therefore enacted by the Lieutenant Governor, Council and Assembly, that any deed already executed by any Sheriff, of any lands sold under and by virtue of any execution issued forth on any judgment in the Supreme Court, or any deed hereafter to be executed, shall be valid, although the several acts relating thereto be not recited and particularly set forth in such deed, provided that it appear therein that such deed was executed by the said Sheriff as Sheriff.

II. In all deeds to be executed after the passing of this act, it shall be declared therein, that such deed is executed by the said Sheriff as such Sheriff, by virtue of, and in obedience to the execution therein recited, and of all acts of the General Assembly, and of all other powers and authorities in anywise that behalf enabling him.

Deed to set forth its execution by Sheriff officially, &c.

III. The recitals in such deed shall be made as short and concise as is consistent with a clear and distinct statement of the facts intended to be set forth, and the said several deeds shall be in the form, and to the effect of the Schedules to this act annexed, marked (A), or as near thereto as the circumstances of the case permit.

Form of Sheriff's Deed

IV. Any deed now or hereafter to be executed by any Sheriff shall be valid, although the same has been executed by the Deputy Sheriff, and it shall not be necessary to prove a power under the hand and seal of the said Sheriff to the said Deputy Sheriff, authorising him to execute such deeds; but general evidence of such Under or Deputy Sheriff having acted on such in the execution of writs or other process, shall be sufficient evidence of his appointment as Deputy Sheriff, and of his authority to execute such deed for and in the name of the Sheriff.

Deed executed by Deputy Sheriff, valid.

V. The Deputy Sheriff of any late Sheriff may execute any such deed for and in the name of the said Sheriff, in like manner as if his principal then held the office of Sheriff.

Deputy of late Sheriff may execute Deed.

VI. Appraisements of land, and all returns to executions shall shortly set forth the facts required to be stated therein, and shall as far as the circumstances of the case permit, be to the effect of Schedules hereunto annexed, marked (B) and (C) respectively, and all appraisements and returns now made shall be

Form of appraisements.

deemed to be as valid as if they had been made subsequently to the passing of this Act, and had then complied with this section.

No Deed void  
for misrecital.

VII. No such deed already executed or hereafter to be executed by any such Sheriff, shall be void by reason of the mis-recital or non-recital of any statute or of any matter required to be done by such Sheriff in the premises; but if the said Sheriff or late Sheriff, or Deputy Sheriff, (if such deed be executed by him,) shall at any time make oath to be indorsed upon said deed, and sworn before a Commissioner for taking affidavits in the Supreme Court, or the Registrar of Deeds, that the said lands and premises therein mentioned were regularly seized, appraised, advertised and sold in every respect as by law directed, (according to the Schedule hereunto annexed marked (D)), then such deed, whether executed before or after the passing of this Act, when produced in any court, shall be *prima facie* evidence of all the facts therein stated, and that all things were done according to law, and the *onus* of proving any defect in any proceeding or matter required to be done, or any neglect or malpractice shall henceforth lie on the parties disputing the same, any law, usage or custom to the contrary notwithstanding, and such deed shall be registered before any action shall be commenced therein in any Court within this Island.

Affidavit by  
Sheriff in-  
dorsed on  
Deed, to be  
*prima facie*  
evidence of  
regular pro-  
ceedings, &c.

Affidavits of  
appraisement  
not to be void  
for want  
of place in  
Jurat.

VIII. No affidavit of any appraisement of any property, or any other affidavit now or hereafter to be made in relation to any proceedings to the sale of lands under any execution, shall be void by reason of no place being mentioned in the jurat thereof, or for any formal defect in such affidavit.

Postponement  
of sale not to

IX. From and after the passing of this act, when any postponement of any sale is made by

the Sheriff, such sale shall not take place within three weeks from the time from which such postponement takes place.

be less than  
for 3 weeks.

X. When any execution is issued against the lands of any defendant against whom judgment has been entered up, upon a warrant of Attorney, under the 8th section of the 24th Victoria, Cap. 5, the Prothonotary shall endorse upon the said execution, when requested by the party issuing the same so to do, the words and figures following, that is to say "Under the 8th section 24th Victoria, Cap. 5," and which said endorsement shall be notice to the Sheriff that the time for the advertisement of such sale shall be according to the requirements of the 8th section of the act passed in the 24th year of the reign of Her present Majesty Queen Victoria, Chapter 5, intituled "An Act in amendment of, and in addition to, the acts relating to judgments entered of record in the Supreme Court of Judicature."

Prothonotary  
specially to  
indorse exe-  
cutions issued  
on Judgments  
entered under  
24 Vic., Cap.  
5.

XI. This act shall be held to apply to the sale of any leasehold interest in land, provided that nothing herein contained shall be held to require the performance of anything not now required to be performed in the levying, execution upon, and selling leasehold estate, and in all sales of leasehold estate the Schedules to this act shall be varied to meet the requirements of the same.

Act to apply  
to sales under  
execution of  
leaseholds.

XII. Nothing herein contained shall be held to apply to, alter, vary, or in anywise affect the statutory provisions of any sales of land under the act intituled "An Act for levying further an assessment on all lands in this Colony, and for the encouragement of education," and all other acts in amendment thereof, or of any proceedings had or to be had hereunder.

Act not to  
affect provi-  
sions for sale  
of lands under  
Land Assess-  
ment Acts.



## Schedule A.

## SCHEDULE (A.)

Form of Sheriff's Deed.

To all to whom these presents shall come, I, (E. F.) of  
in Prince Edward Island (High Sheriff) or (late High  
Sheriff) of County, Greeting.

Whereas judgment was entered of Record in Her Majesty's Supreme Court of Judicature as of term, in the year of our Lord one thousand eight hundred and wherein (A. B.) was plaintiff, and (C. D.) was defendant, for the sum of pounds, debt, and pounds, costs, or ( pounds damages, as the case may be), and whereas the said (C. D.) having died, the said Court did direct that execution would issue against his lands and tenements, and whereas Her Majesty's writ of was afterwards issued upon the said judgment under the 8th section 24th Victoria, Cap. 5, whereby I, the said (E. F.) as such Sheriff, as aforesaid, was commanded that of the goods and chattels, lands and tenements of the said (C. D.) in my bailiwick, I should cause to be paid and satisfied unto the said (A. B.) the said sum of pounds and pounds costs, and which said execution was marked (here insert levy) and whereas by virtue of the said writ, and of my said office as such Sheriff as aforesaid, and of all powers and authorities in anywise in that behalf enabling me, I, the said (E. F.) as such Sheriff as aforesaid, having given the notice of sale required by law, did on the day of in the year of our Lord one thousand eight hundred and sell and dispose of the land and premises hereinafter described, to one (G. H.) he appearing to be the best and highest bidder. Now, know ye, that I, the said (E. F.), by virtue of my said office as such Sheriff, and by virtue of the aforesaid execution, and of all acts of the General Assembly of the said Island, and all other powers and authorities in anywise in that behalf enabling me, and in consideration of the sum of pounds, paid by the said (G. H.) the receipt whereof is hereby acknowledged, have granted, bargained, sold and assigned, and by these presents do grant, bargain, sell and assign unto the said (G. H.), his heirs, executors, administrators and assigns, all the estate, right, title and interest whatsoever, both at law and in equity, of the said (C. D.) in and to (here insert description), to have and to hold the same unto the said (G. H.) his heirs and assigns, to the only proper use and behoof of the said (G. H.), his heirs and assigns forever, (or to have and to hold the same unto the said (G. H.) his executors, administrators and assigns for all the rest, residue and remainder of a term of years yet to come of him the said (C. D.), in and to the said piece of land, under and by virtue of a certain indenture of lease, made between (J. K.) of the one part, and one (L. M.) of the other part, of which the said (C. D.) is now the assignee. In witness whereof, I, the said (E. F.) have hereunto set my hand, and affixed my seal of office this day of A. D. 186 or, in witness whereof, I, the said (E. F.) by (G. L.) my Deputy for that purpose lawfully authorized, have hereunto my hand set and affixed my seal of office this day of A. D. 186

Signed, sealed and delivered in the presence of

## SCHEDULE (B.)

Appraisement of real estate.  
between A. B., Plaintiff,

vs

C. D., Defendant,

(Or against the lands and tenements of C. D., deceased) as  
the case may be.

We, E. F. of in in County in Prince Edward Is-  
land, and G. H. of the same place make oath and say  
that we are acquainted with the piece and parcel of land  
pointed out to us as the property of C. D. above named, and  
that such land is worth the sum of

Sworn to before me at in County, this day of  
A. D. 186

J. K., Sheriff.  
E F.  
G. H.

Schedule B.

Form of ap-  
praisement of  
lands for sale  
under execu-  
tion.

## SCHEDULE (C.)

Return to Execution.  
between A. B., Plaintiff,  
and

C. D., Defendant.

I, J. K., Sheriff (or late Sheriff) of County, by virtue of  
the within writ to me directed, did seize, advertise and ap-  
praise the lands and tenements of the said C. D., and did on  
the day of A. D. 186 sell the same to who  
was the highest bidder therefor, for the sum of and which  
lands and premises are more particularly described in a deed  
executed by me to the said dated the day of A.  
D. 186

The answer of  
J. K., Sheriff or late Sheriff.

Schedule C.

Return by  
Sheriff to exe-  
cution.

## SCHEDULE (D.)

To be endorsed upon deed.

County to wit.

I, J. K., Sheriff, (or late Sheriff) or Deputy Sheriff to  
Sheriff, make oath and say, that the above mentioned lands  
were regularly seized, appraised, advertised and sold in every  
respect as by law directed.

Sworn to before me at in County this day of  
A. D. 186.

Schedule D.

Affidavit by  
Sheriff of re-  
gularity of  
sale, &c.

## CAP. XVII.

An Act to amend the Act incorporating the  
Summerside Bank.

28 Vic. cap.  
24.

[Passed April 24, 1868.]

WHEREAS by the second section of the Act  
of the twenty-eighth year of her present  
Majesty's reign, chapter the twenty-fourth, in-

Preamble.

titled "An Act to incorporate the Summerside Bank," it is required that one-third part or five thousand pounds of the capital stock of said bank should be paid in current gold and silver coins of this Island within one year from the passing of the said Act, and a further sum of five thousand pounds within two years from the passing of the said Act, and the remaining five thousand pounds within three years from the passing of the said Act: and whereas it is deemed expedient to extend the period for making the last payment of the said capital stock. Be it therefore enacted, by the Lieutenant Governor, Council and Assembly:

Period for  
payment of  
last instal-  
ment of capital  
stock of bank,  
extended un-  
til 1st Jan'y.,  
1869, if found  
necessary.

That the period for making payment of the last or remaining third part of the said capital stock required by the said Act to be made within three years from the passing of the said recited Act, shall be, and the same is hereby extended until the first day of January, one thousand eight hundred and sixty-nine, leaving it, however, nevertheless, in the power and option of the said bank, or the president and directors thereof, to call for and require such payment to be made at an earlier period than the said first day of January, one thousand eight hundred and sixty-nine, if they deem it advisable so to do.

### CAP. XVIII.

#### An Act to incorporate the St. Peter's Bay Agricultural Society.

[Passed April 24, 1868.]

Preamble.

**W**HEREAS James Hogan, Martin McInnis, James McKay, Anthony McCormack, John McIntyre, Hilary McIsaac, John Hughes, Peter McAulay, George Robertson, John R. McKinnon, John Ryan, Norman Mathewson, and others, inhabitants of St. Peter's Bay, in

Prince Edward Island, have, for some time past, constituted a Society for the promotion of Agriculture in St. Peter's Bay and the vicinity thereof: and whereas it would tend to the encouragement and improvement of agriculture if the said society were incorporated:

I. Be it therefore enacted by the Lieutenant Governor, Council and Assembly, that James Hogan, Martin McInnis, James McKay, Anthony McCormack, John McIntyre, Hilary McIsaac, John Hughes, Peter McAulay, George Robertson, John R. McKinnon, John Ryan, Norman Mathewson, and such other persons as are now subscribers to the said society, or who shall at any time hereafter become subscribers thereto, according to such regulations and by-laws as shall hereafter be framed or enacted by the said society, shall be, and they are hereby constituted and declared a body politic and corporate for the purpose of promoting agriculture in St. Peter's Bay and the vicinity thereof, by the name of "the St. Peter's Bay Agricultural Society," by which name they shall be a perpetual corporation, and shall have succession for ever, and a common seal, with full power and authority to alter, vary, break and renew the same at pleasure, and by the same name shall sue and be sued, implead and be impleaded, answer and be answered in all Courts both of law and equity, and be for ever able and capable in the law to purchase, receive, possess and enjoy, to them and their successors, any lands or hereditaments, goods and chattels whatsoever, and to act in all the concerns of the said corporation for the purposes for which it is hereby constituted as aforesaid; and also, that the said corporation shall, in manner hereinafter mentioned, from time to time, and at all times hereafter, have full power and authority to

Incorporates certain persons as the St. Peter's Bay Agricultural Society.

Company empowered to purchase lands, &c., and make by-laws, &c., as may be required.

make, constitute, ordain and establish such by-laws, regulations and ordinances as may be deemed necessary for the good rule and government of the said society; provided that such by-laws, regulations and ordinances be not repugnant to the laws of this Island or the provisions of this Act.

Time and place of holding first meeting of subscribers, to choose officers

II. A general meeting of the subscribers of said society shall be held on the second Wednesday in July next, at or near the residence of Anthony McCormack, at the Head of Saint Peter's Bay, aforesaid, at which meeting there shall be chosen, by a majority thereof, a President, Vice President and Committee, such committee to consist of the president, vice president and ten members, and the secretary and treasurer; and the president, vice president and committee, as well as the secretary and treasurer, shall continue in office from that day until the second Wednesday in July in the year one thousand eight hundred and sixty-nine, or until others are chosen in their place, and from and after the said second Wednesday in July, in the year last aforesaid, a general meeting of the subscribers, or members of said society, shall be held annually, on the second Wednesday in July in every succeeding year, at the place aforesaid, or at such place as the society shall appoint at a general meeting thereof; and at the general meeting to be held in the year aforesaid, and at every such general meeting to be held annually as aforesaid, the members present thereat shall elect a president, vice president, committee and one person to act as Secretary and treasurer for the society, who shall continue in office until others are chosen in their stead, at the general meeting of the society, on the second Wednesday in July, as aforesaid.

Subsequent annual meetings to be held on 2d Wednesday in July, &c.

III. No by-law shall be made, altered or repealed, except at a general meeting of the society by the votes of at least two-thirds of the members present at such meeting.

No by-laws to be made, &c., except at general meeting, by a two-thirds vote.

## CAP. XIX.

### An Act to incorporate the Prince County Agricultural Society.

[Passed April 24, 1868.]

**W**HEREAS James G. Wiggins, George Compton, Albert Craswell, William Taylor, George M. Price, Robert Glover, Thomas W. Schurman and Stephen MacNeill, office-bearers of Prince County Agricultural Society, have, by their petition, set forth that they have formed themselves into an association having for its object the improvement and furtherance of agriculture, and have prayed that corporate powers be conferred upon them, in order the better to enable them to carry out the laudable objects for which the said society was formed, and whereas it is expedient to grant the prayer of the said petition: Be it therefore enacted by the Lieutenant Governor, Council and Assembly, as follows, that is to say :

Preamble.

I. The said office-bearers of said society, and their successors in office, are hereby declared to be a body politic and corporate, under the name of the "Prince County Agricultural Society," by which name they shall be a perpetual corporation, and shall have succession forever, and a common seal, with full power and authority to alter, vary, break and renew the same at pleasure, and by the same name shall sue and be sued, implead and be impleaded, answer and be answered, in all Courts both of law and equity, and be forever able and capable in the law to purchase, receive, possess

Incorporates certain persons as the Prince County Agricultural Society.

With power to hold chattels, &c., and make necessary by-laws, &c.

and enjoy to them and their successors any goods and chattels whatsoever, and to act in all the concerns of the said body politic and corporate for the businesses and purposes for which it is hereby constituted as aforesaid, and shall have power, from time to time, to make such by-laws and regulations for the better government of the said society as shall be required or seem beneficial, and to alter or repeal the same and make others in their stead, provided always, that the same be not contrary to the laws of this Island, or the provisions of this Act.

All property held by parties incorporated, to vest in present corporation, &c.

II. All and every the estate and property, real or personal, belonging to or hereafter to be acquired by the said society, and all debts, claims and rights whatsoever due to it, shall be and are hereby vested in the corporation hereby established, and the rules, orders and regulations of said society, so far as the same may not be contrary to the laws of this Island or to this Act, shall be, and continue to be, the rules, orders and regulations of the said corporation, until altered or repealed under the provisions of this Act.

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## CAP. XX.

### **An Act to Incorporate the Minister and Trustees of the Baptist Church, Long Creek, West River.**

[Passed April 24, 1868.]

Preamble.

**W**HEREAS it is desirable, for the efficient management of the temporal affairs of the Baptist congregation of Long Creek, West River, that its Minister and Trustees be an incorporate body. Be it therefore enacted by the Lieutenant Governor, Council and Assembly, as follows, that is to say :

I. The Reverend Malcolm Ross, *ex officio*, John Darrach, Hugh McPhee, Alexander McNeill, Duncan McCannell, Malcolm McNeill, Neil McLean and Archibald Darrach, and their successors in office, shall be, and are hereby constituted and declared to be a body corporate, under and by the name of the Minister and Trustees of the Baptist Church of Long Creek, West River, and they and their successors in office shall have a common Seal, with power to break, change and alter the same from time to time, as may be found requisite, and shall be in law capable of suing, pleading, defending and answering, and of being sued, impleaded, defended and answered unto, in all Courts of Judicature, in all manner of actions; and also, of contracting and being contracted with relative to lands and funds of said corporation, and the other purposes for which it is constituted, as hereinafter declared, and may establish, put in execution, alter or repeal such by-laws and regulations as shall not be contrary to the constitution and laws of this Island, or the provisions of this Act, as may appear to the said corporation necessary and expedient for the interest thereof, and for these purposes appoint their own chairman and other officers, four members being a quorum in all matters to be done and disposed of by the said corporation.

Incorporates certain persons and their successors, by the name of the Minister and Trustees of the Baptist Church of Long Creek, West River.

With power to ordain by-laws, &c.

II. When any vacancy in the trustees shall arise by death, resignation or otherwise, then the minister of the said church shall give notice that a congregational meeting of the said church shall be held on a given day for the election of one or more trustees to fill the said vacancy or vacancies, and the said notice shall be given in the said church of Long Creek, West River, immediately after divine service, on a Sabbath, at least ten days previous to the said meeting, and the choice of said trustee or

Vacancy in trustees, how filled up, &c.



Who entitled  
to vote on  
such an oc-  
casion.

trustees shall be determined by the vote of the majority of the adherents in the congregation, being of the age of twenty-one years, who may be contributing from six shillings and upwards, annually, and not in arrears, and any male adherent in the congregation, being of the age of twenty-one years, and who may be contributing annually, from fifteen shillings and upwards, and not in arrears, shall be eligible to hold office as a trustee.

Property of  
congregation,  
to vest in the  
trustees under  
this Act.

III. The seal of said congregation, and all deeds, books, minutes, vouchers, subscriptions, obligations and securities for moneys, and all and every description of property really and truly belonging to the congregation, shall, immediately after the passing of this Act, pass into the custody and possession of the above named trustees, and shall be by them transferred to their successors immediately following them in office as trustees.

Corporation  
may acquire  
and hold real  
and personal  
estate, &c.

IV. It shall and may be lawful for the said corporation to contract for and purchase, or in any lawful mode, whether by demise, bequests, or otherwise, to acquire or obtain, either in fee simple, for life, or for any term of years, for the benefit of the said church, messuages, lands, tenements, buildings, real or personal estate whatsoever, in this Island, and to take and receive the necessary legal conveyances, securities and transfers thereof, and which said messuages, lands, tenements, buildings, real or personal estate, shall be and remain vested in the said corporation, to be used and disposed of, however, for the benefit of said congregation according to the discretion of said corporate body.

Power of cor-  
poration to  
dispose of pro-

V. It shall and may be lawful for the said corporate body for the time being, and they are hereby authorized and empowered to grant,

sell, lease, exchange, mortgage, convey or dispose of, to such person or persons as they shall think proper, and for such prices, sums, rents or terms as shall be agreed upon, the whole or any part of the said lands or premises now held or hereafter to be conveyed to or held by the said corporate body, and to such extent and proportion as they shall think proper, and every deed or conveyance thereof executed by the said trustees, in their name of office, under their common seal, shall be valid in law, to convey for years or otherwise, all such estate, title and interest as the corporation of the said Baptist Church have, or may hereafter have, in the same.

erty vested  
in it.

And execute  
deeds.

VI. It shall not be lawful for the said corporation to hold real estate for the use of the said congregation which shall exceed in value and yield at any time more than a clear net yearly income of two hundred pounds currency of this Island.

Real estate  
held by cor-  
poration, not  
to exceed in  
value £200  
per annum.

VII. This Act shall be deemed a public Act, and shall be judicially taken notice of as such by all Judges, Justices of the Peace and ministers of justice, and other persons whomsoever, without being specially pleaded.

This Act de-  
clared to be a  
public Act.

## CAP. XXI.

**An Act in further addition to and amendment of the Act to Incorporate the town of Charlottetown.**

[Passed April 24, 1868.]

**W**HEREAS the Streets, Squares and Sidewalks of the City require—in order to put them in a proper and efficient state of repair—that a considerable outlay of money should be appropriated for that purpose: and whereas, for the accomplishment of these necessary and desirable objects, the present revenue of the

Preamble.

city is altogether inadequate. For remedy whereof: Be it enacted by the Lieutenant Governor, Council and Assembly, as follows:

I. The City Council of the City of Charlottetown, may, by a By-law duly enacted and assented to, levy an assessment upon the real, freehold or leasehold estate in the said city, which assessment shall not exceed three-pence in the pound upon the rental of such real, freehold or leasehold estate, according to the valuation of the same in the Books of the Assessors, which said Assessment shall be in addition to and over and above the sum of one shilling in the pound upon the rental as now levied upon and paid by the occupants of real estate in the said city, and said assessments shall be duly paid by the respective proprietors or occupants after due notice thereof; subject, however, to be appealed from in the way and manner prescribed in the Act of Incorporation, and the By-laws of the said city. Provided always, nevertheless, and it is hereby expressly enacted, that the amount to be raised under the assessment authorised to be imposed by this Act, shall be applied to macadamizing the streets and roads and constructing sidewalks in the streets and roads in the city.

City Council may levy an additional assessment on real, freehold or leasehold estate to the extent of 3d in the pound.

Right of appeal reserved.

Sums raised to be expended in macadamizing streets &c.

City Council to fix amount of duty to be paid on sale of spirituous liquors, in less quantities than 2 gallons, and on sale of beer, &c., and regulate place licensed

II. The City Council may, by a by-law, or by-laws, duly passed and approved of, fix the amount of license duty to be paid by shopkeepers or retailers, tavern-keepers, hotel and boarding and lodging-house keepers, proprietors of public saloons, or other places of entertainment within the city, for the sale of spirituous or distilled liquors in less quantities than two gallons, as well as for the sale of ale, porter, beer, or other liquors in which alcohol forms any part of the ingredients, and in such by-law, or by-laws, to prescribe the mode of ap-

plying for such licenses, and the rules and regulations under which the places so licensed are to be kept, and prescribe penalties for the infraction of such rules and regulations, and the mode of recovering such penalties.

III. The City Council shall have power to inflict penalties not exceeding ten pounds, for the sale of liquors, as aforesaid, by persons not licensed.

Penalties for such sale without license.

IV. The different Acts of the Legislature of this Island regulating the sale by license of spirituous liquors, are—so far as the City of Charlottetown is affected by them—hereby repealed from the time when such by-law or by-laws shall have been passed, assented to and published.

Acts regulating sale of liquors in Ch'town repealed when by-law hereunder passed, &c.

## CAP. XXII.

### An Act to incorporate the Minister and Trustees of the Baptist Church of North River, Lot 32.

[Passed April 24, 1868.]

**W**HEREAS it is desirable, for the efficient management of the temporal affairs of the Baptist Congregation of North River, Lot thirty-two, that its minister and trustees be an incorporate body. Be it therefore enacted, by the Lieutenant Governor, Council and Assembly, as follows, that is to say :

Preamble

I. The Reverend Eliakim N. Archibald, *ex officio*, James Warren, Alexander McKinlay, Jacob Dockendorff, John McKinlay and Francis Bain, and their successors in office, shall be, and are hereby constituted and declared to be a body corporate, under and by the name of the "Minister and trustees of the Baptist Church of North River, Lot thirty-two," and

Incorporates certain persons under name of the Minister and Trustees of the Baptist Church of North River, Lot 32.

With power  
to make by-  
laws, &c.

they and their successors in office shall have a common seal, with power to break, change and alter the same, from time to time, as may be found requisite, and shall be in law capable of suing, pleading, defending and answering, and of being sued, impleaded, defended and answered unto, in all Courts of Judicature, in all manner of actions; and also of contracting and being contracted with relative to lands and funds of said corporation, and the other purposes for which it is constituted, as hereinafter declared, and may establish, put in execution, alter or repeal such by-laws and regulations as shall not be contrary to the constitution and laws of this Island, or the provisions of this Act as may appear to the said corporation necessary and expedient for the interest thereof, and for these purposes appoint their own chairman and other officers, four members being a quorum in all matters to be done and disposed of by the said corporation.

Vacancy  
among trus-  
tees, how to  
be filled.

II. When any vacancy in the trustees shall arise by death, resignation, or otherwise, then the minister of said church shall give notice that a congregational meeting of the said church shall be held on a given day for the election of one or more trustees to fill the said vacancy or vacancies, and that the said notice shall be given in the said church of North River, Lot thirty-two, immediately after divine service, on a Sabbath, at least ten days previous to the said meeting, and the choice of said trustee or trustees shall be determined by the vote of the majority of the adherents in the congregation, being of the age of twenty-one years, who may be contributing from six shillings and upwards, annually, and not in arrears; and any male adherent in the congregation, being of the age of twenty-one years, and who may be contribut-

Who to be

ing, annually, from fifteen shillings and upwards, and not in arrears, shall be eligible to hold office as a trustee.

entitled to vote in choice of trustees.

III. The seal of said congregation, and all deeds, books, minutes, vouchers, subscriptions, obligations and securities for moneys, and all and every description of property really and truly belonging to the congregation, shall, immediately after the passing of this Act, pass into the custody and possession of the above named trustees, and shall be by them transferred to their successors immediately following them in office as trustees.

Seal of congregation and all books, &c., to pass to trustees under this Act.

IV. It shall and may be lawful for the said corporation to contract for and purchase, or in any lawful mode, whether by demise, bequest or otherwise, to acquire or obtain, either in fee simple, for life, or for any term of years, for the benefit of the said church, any messuages, lands, tenements, buildings, real or personal estate whatsoever, in this Island, and to take and receive the necessary legal conveyances, securities and transfers thereof, and which said messuages, lands, tenements, buildings, real or personal estate, shall be and remain vested in the said corporation, to be used and disposed of, however, for the benefit of said congregation, according to the directions of said corporate body.

Corporation empowered to hold real and personal estate for benefit of congregation.

V. It shall and may be lawful for the said corporate body for the time being, and they are hereby authorized and empowered to grant, sell, lease, exchange, mortgage, convey, or dispose of, to such person or persons as they shall think proper, and for such prices, sums, rents, or terms as shall be agreed upon, the whole or any part of the said lands and premises now held, or hereafter to be conveyed to or held by

Power to sell and lease lands, &c., held by corporation.

the said corporate body, and to such extent and proportion as they shall think proper, and every deed or conveyance thereof executed by the said trustees, in their name of office, under their common seal, shall be valid in law, to convey for years or otherwise, all such estate, title and interest as the corporation of the said Baptist Church have or may hereafter have in the same.

Value of real estate held by corporation not to exceed £200 per annum.

VI. It shall not be lawful for the said corporation to hold real estate for the use of the said congregation which shall exceed in value and yield, at any time, more than a clear net yearly income of two hundred pounds currency of this Island.

Act to be deemed a public Act, &c

VII. This Act shall be deemed a public Act, and shall be judicially taken notice of as such by all Judges, Justices of the Peace and ministers of justice and other persons whomsoever, without being specially pleaded.

## CAP. XXIII.

21 Vic. cap. 7 An Act to continue and amend certain Acts therein  
21 Vic. cap. 10 mentioned, relating to Summerside.

[Passed April 24, 1868.]

Preamble.

**W**HEREAS the Act of the twenty-first Victoria, chapter seven, intituled "An Act relating to accidents by fire in Summerside, and the removal of nuisances from the streets thereof," and the Act of the twenty-first Victoria, chapter ten, intituled "An Act to prevent the running at large of Swine in Summerside and vicinity," will shortly expire, and it is expedient to continue the same, and also to amend the first hereinbefore recited Act, as hereinafter mentioned. Be it therefore enacted by the Lieutenant Governor, Council and Assembly as follows :

I. The said recited Act of the twenty-first Victoria, chapter seven (except as the same is hereby amended), and the said recited Act of the twenty-first Victoria, chapter ten, shall be, and the same are hereby severally continued for ten years from the passing hereof, and from thence to the end of the then next session of the General Assembly of this Island, and no longer.

Continues Act 21 Vic. cap. 7, and Act 21 Vic. cap. 10. for ten years, &c.

II. The assessors appointed under the said first herein recited Act shall have power to assess the inhabitants, owners and occupiers of property in Summerside, in a sum not exceeding the sum of one hundred and fifty pounds in any one year.

Assessors under 21 Vic. cap. 7, to assess owners, &c., of property to extent of £150.

III. The tenant or occupier of every house, shop, office, or store, in Summerside, of the yearly value of five pounds, and upwards, shall be provided with and keep one leathern bucket, capable of containing not less than two gallons, with the owner's name painted thereon, which bucket shall be kept hung up in the passage, hall, or entry of such house, shop, office or store, under the penalty of five shillings for every time the said bucket shall not be found hung up in its proper place, when such house, shop, office or store shall be visited by the firewardens in the said first recited Act named, and the said tenant or occupier, within three months after the passing of this Act, shall provide a ladder or ladders, corresponding to the height of his house, sufficient to enable water to be carried to any part of the same in the event of fire.

Tenant, &c., of house, &c., in Summerside, exceeding in annual value £5, to be provided with bucket, ladder, &c.

IV. All chimneys and flues in any house, shop, store or office, in Summerside, shall be built and constructed in every respect to the satisfaction of the firewardens now or hereafter to be appointed under the said first herein recited Act, and such firewardens may, if they

Chimneys, &c., in Summerside, to be built &c., to satisfaction of fire-wardens.



see fit, order any chimney or flue in the said place to be altered or reconstructed in such manner as they may deem proper; and if any person shall be ordered by the said firewardens to cause any such chimney or flue to be reconstructed or altered, and shall neglect to obey such order for a period of forty-eight hours from the time such order shall be made, such person so offending shall be subject to a fine or penalty of five shillings for each and every day he shall refuse to comply with such order; which said fine or penalty and any other fine or penalty imposed by this Act, shall be recovered in the way and manner directed by the said first recited Act for the recovery of fines and penalties therein mentioned.

Fine for offence against this Act.

Wardens under 21 Vic. cap. 7, to make by-laws &c. for certain purposes.

With assent of Lt. Governor in Council.

Rate-payers may inspect rate books.

Repeals sections of 21st Vic. cap. 7.

Continuance of Act.

V. The wardens now appointed, or hereafter to be appointed under the said first herein recited Act, shall and may at any time, and from time to time, after the passing of this Act, have full power and authority to make and pass such by-laws as they may deem necessary for the more effectually carrying out the provisions and intentions of this or the said first recited Act: provided that no such by-law or by-laws shall have any force or effect until approved of by the Lieutenant Governor in Council and recorded in a book to be kept for that purpose by the collector in the said first recited Act mentioned, which said book shall be at all times, within reasonable hours, open to the inspection of any person liable to pay rates in Summerside under the said first therein recited Act.

VI. The fifth and fourteenth sections of the said first herein recited Act shall be, and the same are hereby repealed.

VII. This Act shall remain and continue in force during the continuance of the said first herein recited Act, and no longer.

## CAP. XXIV.

**An Act to consolidate and amend several Acts therein mentioned relating to the Savings Bank.**

[Passed 24th April, 1868.]

**W**HEREAS the Act of the twenty-seventh Victoria, Chapter four, intituled "An Act for the establishment of a Bank for savings in Prince Edward Island," the Act of the twenty-eighth Victoria, Chapter twenty-one, intituled "An Act to amend the Act for the establishment of a Bank of savings in Prince Edward Island," and the Act of the twenty-ninth Victoria, Chapter twenty-two, intituled "An Act further to amend the act for the establishment of a Bank of Savings in Prince Edward Island," require consolidation and amendment: Be it therefore enacted by the Lieutenant Governor, Council and Assembly as follows :—

I. The said hereinbefore recited Acts shall be, and the same are hereby severally and respectively repealed.

II. From and after the passing of this Act, the Savings Bank, in the said hereinbefore recited Acts mentioned, and all the rules, orders and regulations heretofore made for the management thereof, by the Lieutenant Governor in Council, under and by virtue of said hereinbefore recited Acts, or any of them, shall be continued, and remain as now constituted and established, and the said Lieutenant Governor, or other Administrator of the Government in Council, shall have full power and authority as heretofore, to make such rules, orders and regulations for the management of the said Savings Bank, not inconsistent with this Act, as to the said Lieutenant Governor or other Administrator of the Government in

Preamble.

27 Vic. cap. 4

28 Vic. cap.

21

29 Vic. cap.

22.

Repeals Acts  
before recitedRules form-  
erly made by  
Lt. Governor  
respecting  
Savings'  
Bank, con-  
tinued.Power to  
make new  
rules, &c.

Council may appear necessary or expedient in that behalf, with power from time to time to revoke, alter, add to and amend any such orders, rules and regulations now made or hereafter to be made, as occasion may require.

Who may deposit with Treasurer.

III. All farmers, tradesmen, mechanics, laborers, servants and other classes of Her Majesty's subjects in this Island, may deposit their respective savings with the Treasurer or Deputy Treasurer of this Island, which deposits the said Treasurer or Deputy Treasurer is hereby authorized and required to receive as hereinafter mentioned.

Treasurer to attend each Tuesday and Friday at Savings' Bank.

IV. It shall be the duty of the Treasurer or Deputy Treasurer to attend at the usual place where he keeps his office, or in some other convenient apartment in the Colonial building to be provided for that purpose, on each Tuesday and Friday in every week, from ten o'clock in the forenoon, to three o'clock in the afternoon, for the purpose of receiving any such deposits and making payments of sums to be drawn out, provided that the said Treasurer or Deputy Treasurer shall not be bound to pay out any moneys so deposited, unless he shall have received at least one week's previous notice of the depositor's desire to draw out the same, and provided that no less a sum than one shilling and six-pence shall be received, nor less than twenty shillings paid out at any one time from or to any such depositor, except in cases where the sum actually deposited shall be less than twenty shillings.

Notice of withdrawal of deposits.

Amount allowed to be deposited at any one time.

Interest how paid where whole deposit withdrawn.

V. When the whole amount deposited shall be required to be paid out, interest thereon, according to the regulations hereinafter made, shall be calculated and allowed, up to the day of payment.

VI. The Treasurer or Deputy Treasurer shall open a separate account with each depositor, and all deposits and payments shall be regularly entered in a book in the office at the time when made, and each depositor shall receive gratis, at the time of his or her first deposit, a bank or pass book for containing a duplicate of his or her account, which said pass book shall be produced to the Treasurer or Deputy Treasurer, upon all occasions of depositing or withdrawing moneys, in order that a duplicate entry may be made therein.

Separate account to be kept with each depositor, &c.

Pass book to be supplied gratis.

VII. Every depositor in the said Savings Bank, shall be entitled to receive for the moneys so deposited therein, interest at the rate of five pounds per centum per annum on all deposits which in the whole may amount to twenty shillings or upwards, but no interest shall be calculated on any fractional part of a pound.

Interest on deposits 5 per cent. per annum.

VIII. In order to simplify the keeping of the books of the said Savings Bank, and the mode of calculating the interest to be paid on deposits, the accounts thereof shall be kept by a monthly system, the commencement of the monthly accounts shall be on the first day of every month in each and every year, and interest shall be allowed from the first day of every month respectively on the amount deposited in each preceding month, and all interest which may be due to the several depositors on the thirtieth day of November in every year, shall from that time be made principal.

Accounts to be kept on monthly system, &c.

When interest to be made principal.

IX. Provided always that each depositor shall have the right to receive the interest payable on his or her deposit account at the end of every or any year, if he or she shall so require, instead of having the same added or made part of

Optional to depositor to draw interest at end of year

One week's  
notice there-  
of required.

the principal, but in all cases where a depositor shall be desirous to receive payment of such interest at the end of a year, it shall be necessary for said depositor to give notice to that effect to the Treasurer or Deputy Treasurer, at least one week before the end of such year, unless the depositor shall have the full amount of one hundred pounds on interest, in which case, such depositor shall be entitled to receive his or her yearly interest, at any time after the close of the year, on application, on business hours, for that purpose, without previous notice.

£100, maxim-  
um amount  
deposited to  
carry inter-  
est, excess to  
remain for  
safe custody  
only.

Proviso in  
favor of  
funds of  
charitable  
societies.

X. No person making deposits in the said Savings Bank, shall at any time have more than the sum of one hundred pounds bearing interest in the funds thereof, but any person of the description permitted to make deposits, may have any sum which may be in excess of the said sum of one hundred pounds in the funds of the Savings Bank, for the purpose of safe custody, without being allowed interest thereon, provided nevertheless, that any charitable, benevolent or friendly society, may, through their Treasurer or other proper officer or officers duly authorized thereto, deposit their funds, not in any case to exceed one hundred pounds, at interest in the funds of the said Bank, and may leave therein any excess above the said sum of one hundred pounds for safe custody.

Colonial  
Treasurer to  
be Superin-  
tendent of  
Bank, his  
duties, &c.

XI. The Treasurer of the said Island shall superintend the said Savings Bank, and it shall be his duty to see that the same is conducted in accordance with the provisions of this Act, and the rules, orders and regulations from time to time made by the Lieutenant Governor or other Administrator of the Government in Council, in relation thereto.

Treasurer,  
&c., to derive

XII. Neither the said Treasurer, Deputy Treasurer nor any other officer or person having

the management, or employed in or about the management or business of the said Savings Bank, shall derive any benefit from any deposit made in such institution, but that the persons depositing money therein shall have the sole benefit of such deposits, and the produce thereof, save only and except such salaries and allowances, or other necessary expenses as shall by law, or according to such rules, orders and regulations, to be made as aforesaid, be provided for the charges of managing such institution, and for remuneration to officers employed in the management thereof.

no benefit  
from deposits

XIII. It shall be lawful for the said Treasurer or Deputy Treasurer to receive deposits for the benefit of any person under the age of twenty-one years, being of the class and description of persons permitted by the second section of this Act to make deposits in the said Bank, and to pay to such person his or her share or interest in the funds of the said institution, and the receipt of such person shall be a sufficient discharge, notwithstanding his or her incapacity or disability in law to act for him or herself.

Persons under 21 years of age may be depositors

XIV. Should any depositor lose his or her pass book, upon notice thereof being given to the Treasurer or Deputy Treasurer, and upon payment of the original cost of the said book, such depositor shall receive a new one, containing a certified duplicate of his or her account, but after the loss of such book, the amount of moneys belonging to such person in the said Bank shall not, under any circumstances, be drawn out without a month's notice.

Loss of Pass book, how remedied.

XV. No sum of money deposited in the said Savings Bank, nor the interest thereof, shall be transferable in the books of the said institution.

Mode of transferring deposits.

Power of Attorney where requisite.

nor shall any person, save the depositor, (unless in case of death as hereinafter provided) be allowed to receive the same unless authorized by power of Attorney in the form set forth in the Schedule to this Act annexed, which said power of Attorney shall be written underneath a fair copy or transcript of the whole account, taken from the depositor's book, and shall be executed by the depositor in the presence of at least one subscribing witness.

Treasurer may pay amount deposited by married woman to her unless he receive husband's written notice to the contrary.

XVI. It shall be lawful for the said Treasurer or Deputy Treasurer to pay any sum of money in respect of any deposit already made or to be made by married women, or by women who may marry after such deposit, to any such woman, unless the husband of such woman shall give to the said Treasurer or Deputy Treasurer notice, in writing, of his marriage with such woman, and shall require payment to be made to him.

Dispute between Treasurer and depositor, &c., to be settled by reference to a Barrister of Supreme Court.

XVII. If any dispute shall arise between the said Treasurer and any individual depositor therein, or any Executor, Administrator, next of kin, creditor or assignee of any depositor who may become bankrupt or insolvent, or any person claiming to be such Executor, Administrator, next of kin, creditor or assignee, or to be entitled to any money deposited in such Savings Bank, then and in every such case the matter in dispute shall be referred in writing to a Barrister of the Supreme Court of this Island, to be appointed for that purpose by a Judge of the said Court, and such Barrister shall have power to proceed, *ex parte*, on notice in writing to the said Treasurer, left at the said Savings Bank, and whatever award, order or determination shall be made by the said Barrister, shall be binding and conclusive on all parties, and shall

be final to all intents and purposes without any appeal.

XVIII. On any such reference, it shall be lawful for the said Barrister, and he is hereby authorized to inspect any book or books belonging to the said Savings Bank relating to the matter in dispute and to administer an oath to any witness appearing before him, or to take the affirmation in cases where affirmation is allowed by law instead of oath, and if, upon such oath or affirmation, any person making the same shall wilfully and corruptly give any false evidence, every person so offending shall be deemed and taken to be guilty of perjury, and shall be prosecuted and punished accordingly.

Referee may inspect all books of bank and take evidence on oath, &c.

XIX. In case any depositor in the funds of the said Savings Bank shall die, it shall be lawful for the said Treasurer or Deputy Treasurer, and he is hereby authorized and required, if no will shall be proved, or no letters of administration shall be taken out within six calendar months after the death of the said depositor, to pay and divide the same to and amongst the person or persons entitled to the effects of the deceased intestate, according to the act of Assembly for the distribution of the estates of intestates.

Where depositor dies payment may be made to Executor or other party entitled, &c.

XX. All moneys deposited in the said Savings Bank under the operation of this Act, or of any of the herein before recited Acts hereby repealed, shall, by the Treasurer or Deputy Treasurer, be paid into the Public Treasury of this Island, to be invested in Government securities, or other good and sufficient securities, in such way and manner as the Lieutenant Governor, or other Administrator of the Government in Council, shall by order in that behalf from time to time direct and require, and in the meantime, and

Moneys deposited under this Act to be paid into Treasury and invested in Government securities.



until any such order in Council shall be made, the same shall be applied to and for the general uses and purposes of the Government, but the whole amount of such deposits shall not exceed the sum of thirty thousand pounds.

Abstract of state of Savings' Bank to be furnished quarterly to Lt. Governor in Council.

XXI. It shall be the duty of the Treasurer to furnish to the Lieutenant Governor in Council, four times in each year, that is to say: on the first day of December, the first day of March, the first day of June, and the first day of September in each and every year, an abstract of the state of the said Savings Bank, specifying therein the amount of moneys on deposit in such Bank at the commencement of the preceding quarter, with the amounts received and paid out during the same, and the total amount then on deposit in said Bank, and the said Treasurer shall, as soon as may be after the first day of December in each year, make a general return or abstract of the accounts of said Savings Bank for the preceding year, which shall be presented to the Lieutenant Governor in Council to be laid before the Legislature at its next session.

Rules, &c., made by Lt. Governor in Council to be forwarded to Treasurer.

XXII. All orders, rules or regulations which shall or may from time to time be made by the Lieutenant Governor, or other Administrator of the Government in Council touching the said Savings Bank, or the management thereof, as well as all orders, rules and regulations abrogating any present or future orders, rules or regulations so made, or to be made as aforesaid, shall be forthwith transmitted by the Clerk of the Executive Council to the said Treasurer, whose duty it shall be to file the same in his office, and also to cause such rules, orders or regulations to be entered and transcribed in a book to be kept by him in his office for that purpose, which said book, containing such orders, rules or regulations, shall at all times, in business

Duty of Treasurer thereupon.

hours, be open to the inspection of depositors in the said Bank, and the said orders, rules and regulations, as now made, or as they may be hereafter made or abrogated, shall be binding on the Treasurer, Deputy Treasurer and all other officers of the said Bank, and several depositors therein, and their representatives, all of whom shall be deemed and taken to have full notice thereof by such entry as aforesaid, and the entry and transcript of such rules, orders or regulations in such book as aforesaid, or a copy of the same, so transmitted to the said Treasurer or Deputy Treasurer, certified under the hand of the said Treasurer or Deputy Treasurer, shall be received as legal evidence of such rules, orders or regulations respectively, in all causes or suits, and before all Courts of law or equity whatsoever.

What to be deemed notice of such rules.

**XXIII.** The Lieutenant Governor, or other Administrator of the Government in Council, shall have power, if he shall find it expedient or necessary so to do, by order in that behalf, establish and appoint any other day or portion of a day besides Tuesday and Friday in each week for the receipt of deposits, or payment of moneys to depositors, or the transaction of other the business of said Bank.

Lt. Governor in Council may change day for receiving deposits.

**XXIV.** All orders, rules and regulations now existing and heretofore made by the said Lieutenant Governor, or other Administrator of the Government in Council, as well as every act, matter and thing done or transacted under and by virtue of the said hereinbefore recited Acts, or under and by virtue of such rules, regulations and orders shall, be, and the same shall continue to be in full force and effect (until altered, amended, abrogated or annulled under the provisions of this Act), as good, valid and effectual, both at law and in equity, under the operation

All former rules made to regulate Savings' Bank to be in force till altered, &c.

of this Act, as if the said recited Act still remained in full force and effect.

Depositors under repealed Acts to have all former privileges and rights continued to them, &c.

**XXV.** All depositors who have deposited in the Savings Bank, under the provisions of the said recited Acts hereby repealed, shall have the same rights and privileges under this Act, with respect to the moneys or deposits made by them, as if they had paid in or deposited under this Act, subject to any rules, orders or regulations with respect to the management of the said Bank, as may hereafter be made by the Lieutenant Governor in Council, under this Act.

Schedule.

Schedule to which this Act refers.

(Form of Power of Attorney.)

Form of power of Attorney.

I, A. B., do authorize and empower C. D., to receive back the sum of        or the entire sum of        together with the interest due thereon, (as the case may be,) deposited by me, as per account above stated.

(Signed) A. B.

Witness E. F.

## CAP. XXV.

**An Act to amend the Laws Establishing the Salaries payable to the Attorney and Solicitor General.**

[Passed April 24, 1868.]

Preamble.

16 Vic. cap. 3

**W**HEREAS by the Act of the sixteenth Victoria, Chapter three, it is enacted that the salary of two hundred pounds per annum thereby made payable to the Attorney General, shall be in lieu of all fees of office charges, and allowances and emoluments paid or payable by the Government of this Island to the Attorney General and Advocate General, on account of Crown prosecutions, or for opinions, or for putting marginal notes to the Statutes, or for any other miscellaneous services performed by him

in his official capacity ; and that the said salary should be in addition to the annual salary of one hundred and fifty pounds, payable to the Attorney General under the provisions of the Act passed in the fourteenth year of the reign of Her present Majesty Queen Victoria, intituled “ An Act to commute the Crown Revenues of Prince Edward Island, and to provide for the Civil List thereof, as well as for certain compensations therein mentioned,” it being intended that the full salary of the Attorney General should be three hundred and fifty pounds and no more ; and by the Act of the twenty-ninth Victoria, Chapter twenty-one, it is enacted that the sum of two hundred pounds per annum, thereby made payable to the Solicitor General for the salary of that office, shall be in lieu of all fees of office, charges, allowances and emoluments, paid or payable by the Government of this Island to the Solicitor General, on account of Crown prosecutions, or for opinions, or for any other miscellaneous services performed by him for the Government in his official capacity ; and whereas it is deemed advisable that said Acts should be so explained and amended as to prevent any person holding either of the above offices, recovering from the Government on any account whatsoever, for services performed whether in his strictly official capacity, or in his professional character as a Barrister, Attorney, Solicitor, Proctor, Conveyancer, or Notary Public, any greater amount than the amount of the salary so as aforesaid belonging to his office ; be it therefore enacted by the Lieutenant Governor, Council and Assembly :—

14 Vic.  
cap. 3.

29 Vic.  
cap. 21.

I. That no person now holding or who hereafter shall hold, either of the above offices of Attorney or Solicitor General, shall be entitled to demand

Attorney and  
Solicitor  
Generals not  
to receive

more than salaries by statute allotted to them for any service whatsoever, performed for the Government.

or receive from the Government, or out of the Treasury of this Island, any greater amount or salary per annum than the amount of salary attached to, and belonging to his office, under and by virtue of the said recited Act; but such salaries shall in each case be in lieu, and in full of all claims, fees, allowances or charges and emoluments, paid or to be payable by, or which can be demanded from the Government of this Island by the Attorney General, Advocate General, or Solicitor General, on account of Crown prosecutions, or for opinions, or for putting marginal notes to the Statutes, or for any other miscellaneous services performed by them, or either of them, for the Government, or for any public officer of the Government, in their or his strictly official capacity, or in their or his professional capacity as a Barrister, Proctor, Solicitor, Attorney, Advocate, Conveyancer, or Notary Public.

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